

the mortgagor is regulated or restricted pursuant to the last sentence of this section or (2)" for "upon application by the mortgagee,"; and added sentence beginning "Without limiting the authority".

1952—Act July 14, 1952, inserted "or maxima" following "maximum".

§ 724. Repealed. Aug. 2, 1954, ch. 649, title II, § 205, 68 Stat. 622.

Section, acts Apr. 23, 1949, ch. 89, § 2 (b), 63 Stat. 58; June 30, 1953, ch. 170, § 25 (b), 67 Stat. 128, related to purchase of insured mortgage loans by the Federal National Mortgage Association, with respect to property in Hawaii.

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§ 731. Territory included under name Puerto Rico.

The provisions of this chapter shall apply to the island of Puerto Rico and to the adjacent islands belonging to the United States and waters of those islands; and the name Puerto Rico, as used in this chapter, shall be held to include not only the island of that name, but all the adjacent islands as aforesaid. (Mar. 2, 1917, ch. 145, § 1, 39 Stat. 951; May 17, 1932, ch. 190, 47 Stat. 158.)

#### REFERENCES IN TEXT

The term, "this chapter", referred to in the text, which originally read "this Act", is act Mar. 2, 1917, which was classified to section 46 of Title 2, the Congress; sections 325—328 of Title 39, the Postal Service; and sections 731, 733a, 734, 737, 741—742, 745, 747—749, 751, 794, 795, 821, 863, 864, 867, 868, 872, 874 and 891—893 of this title.

#### CHANGE OF NAME

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

#### SHORT TITLE

Act Mar. 2, 1917, is popularly known as the "Jones Act."

## PRIOR LAW

Act Apr. 12, 1900, ch. 191, 31 Stat. 77, which is popularly known as the "Foraker Act", contained somewhat similar provisions.

Section 1 of act Apr. 12, 1900, was similar to this section, except that it described the adjacent islands and waters of those islands as those lying east of the seventy-fourth meridian of longitude west of Greenwich, which were ceded to the United States by the Government of Spain by the treaty of Dec. 10, 1898, 30 Stat. 1754.

## ADMINISTRATION OF GOVERNMENT

The administration of the Government of Puerto Rico was transferred from the Bureau of Insular Affairs to the Office of Territories (formerly the Division of Territories and Island Possessions), in the Department of the Interior by 1934 Executive Order No. 6726, May 29, 1934, eff. Mar. 2, 1935. For present government of the Commonwealth of Puerto Rico, see section 731d of this title and the new constitution set out as a note thereunder.

## § 731a. Change of name; Puerto Rico.

## CODIFICATION

Section, act May 17, 1932, ch. 190, 47 Stat. 158, changed the name of Porto Rico to Puerto Rico.

## § 731b. Organization of a government pursuant to a constitution.

Fully recognizing the principle of government by consent, sections 731b—731e of this title are now adopted in the nature of a compact so that the people of Puerto Rico may organize a government pursuant to a constitution of their own adoption. (July 3, 1950, ch. 446, § 1, 64 Stat. 319.)

## REPEALS

Section 6 of act July 3, 1950 provided that: "All laws or parts of laws inconsistent with this Act [sections 731b—731e of this title] are hereby repealed."

## § 731c. Submission of sections 731b—731e of this title to people of Puerto Rico for referendum; convening of constitutional convention; requisites of constitution.

Sections 731b—731e of this title shall be submitted to the qualified voters of Puerto Rico for acceptance or rejection through an island-wide referendum to be held in accordance with the laws of Puerto Rico. Upon the approval of said sections, by a majority of the voters participating in such referendum, the Legislature of Puerto Rico is authorized to call a constitutional convention to draft a constitution for the said island of Puerto Rico. The said constitution shall provide a republican form of government and shall include a bill of rights. (July 3, 1950, ch. 446, § 2, 64 Stat. 319.)

## CONSTITUTIONAL CONVENTION

A constitutional convention to draft a constitution for the island of Puerto Rico convened in San Juan on Sept. 17, 1951, and concluded its deliberations on Feb. 6, 1952.

## REFERENDUM

Act July 3, 1950, ch. 446, §§ 1—6, 64 Stat. 319, which is classified to sections 731b, 731b note and 731c—731e of this title, was submitted to the qualified voters of Puerto Rico through an island-wide referendum held on June 4, 1951.

## § 731d. Ratification of constitution by Congress.

Upon adoption of the constitution by the people of Puerto Rico, the President of the United States is authorized to transmit such constitution to the Congress of the United States if he finds that such constitution conforms with the applicable provisions of sections 731b—731e of this title and of the Constitution of the United States.

Upon approval by the Congress the constitution shall become effective in accordance with its terms. (July 3, 1950, ch. 446, § 3, 64 Stat. 319.)

## CONSTITUTION OF THE COMMONWEALTH OF PUERTO RICO

Approved by the Constitutional Convention of Puerto Rico on Feb. 6, 1952; ratified by the people of Puerto Rico on Mar. 3, 1952; amended and approved by Congress by Joint Res. July 3, 1952, ch. 567, 66 Stat. 327; proclaimed by the Governor of Puerto Rico to be in force and effect on July 25, 1952.

We, the people of Puerto Rico, in order to organize ourselves politically on a fully democratic basis, to promote the general welfare, and to secure for ourselves and our posterity the complete enjoyment of human rights, placing our trust in Almighty God, do ordain and establish this Constitution for the commonwealth which, in the exercise of our natural rights, we now create within our union with the United States of America.

In so doing, we declare:

The democratic system is fundamental to the life of the Puerto Rican community;

We understand that the democratic system of government is one in which the will of the people is the source of public power, the political order is subordinate to the rights of man, and the free participation of the citizen in collective decisions is assured;

We consider as determining factors in our life our citizenship of the United States of America and our aspiration continually to enrich our democratic heritage in the individual and collective enjoyment of its rights and privileges; our loyalty to the principles of the Federal Constitution; the coexistence in Puerto Rico of the two great cultures of the American Hemisphere; our fervor for education; our faith in justice; our devotion to the courageous, industrious, and peaceful way of life; our fidelity to individual human values above and beyond social position, racial differences, and economic interests; and our hope for a better world based on these principles.

## ARTICLE I

## THE COMMONWEALTH

SECTION 1.—The Commonwealth of Puerto Rico is hereby constituted. Its political power emanates from the people and shall be exercised in accordance with their will, within the terms of the compact agreed upon between the people of Puerto Rico and the United States of America.

SECTION 2.—The government of the Commonwealth of Puerto Rico shall be republican in form and its legislative, judicial and executive branches as established by this Constitution shall be equally subordinate to the sovereignty of the people of Puerto Rico.

SECTION 3.—The political authority of the Commonwealth of Puerto Rico shall extend to the Island of Puerto Rico and to the adjacent islands within its jurisdiction.

SECTION 4.—The seat of the government shall be the city of San Juan.

## ARTICLE II

## BILL OF RIGHTS

SECTION 1.—The dignity of the human being is inviolable. All men are equal before the law. No discrimination shall be made on account of race, color, sex, birth, social origin or condition, or political or religious ideas. Both the laws and the system of public education shall embody these principles of essential human equality.

SECTION 2.—The laws shall guarantee the expression of the will of the people by means of equal, direct and secret universal suffrage and shall protect the citizen against any coercion in the exercise of the electoral franchise.

SECTION 3.—No law shall be made respecting an establishment of religion or prohibiting the free exercise thereof. There shall be complete separation of church and state.

SECTION 4.—No law shall be made abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and to petition the government for a redress of grievances.

SECTION 5.—Every person has the right to an education which shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. There shall be a system of free and wholly nonsectarian public education. Instruction in the elementary and secondary schools shall be free and shall be compulsory in the elementary schools to the extent permitted by the facilities of the state. No public property or public funds shall be used for the support of schools or educational institutions other than those of the state. Nothing contained in this provision shall prevent the state from furnishing to any child non-educational services established by law for the protection or welfare of children. Compulsory attendance at elementary public schools to the extent permitted by the facilities of the state as herein provided shall not be construed as applicable to those who receive elementary education in schools established under non-governmental auspices.

SECTION 6.—Persons may join with each other and organize freely for any lawful purpose, except in military or quasi-military organizations.

SECTION 7.—The right to life, liberty and the enjoyment of property is recognized as a fundamental right of man. The death penalty shall not exist. No person shall be deprived of his liberty or property without due process of law. No person in Puerto Rico shall be denied the equal protection of the laws. No laws impairing the obligation of contracts shall be enacted. A minimum amount of property and possessions shall be exempt from attachment as provided by law.

SECTION 8.—Every person has the right to the protection of law against abusive attacks on his honor, reputation and private or family life.

SECTION 9.—Private property shall not be taken or damaged for public use except upon payment of just compensation and in the manner provided by law. No law shall be enacted authorizing condemnation of printing presses, machinery or material devoted to publications of any kind. The buildings in which these objects are located may be condemned only after a judicial finding of public convenience and necessity pursuant to procedure that shall be provided by law, and may be taken before such a judicial finding only when there is placed at the disposition of the publication an adequate site in which it can be installed and continue to operate for a reasonable time.

SECTION 10.—The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated.

Wire-tapping is prohibited.

No warrant for arrest or search and seizure shall issue except by judicial authority and only upon probable cause supported by oath or affirmation, and particularly describing the place to be searched and the persons to be arrested or the things to be seized.

Evidence obtained in violation of this section shall be inadmissible in the courts.

SECTION 11.—In all criminal prosecutions, the accused shall enjoy the right to have a speedy and public trial, to be informed of the nature and cause of the accusation and to have a copy thereof, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, to have assistance of counsel, and to be presumed innocent.

In all prosecutions for a felony the accused shall have the right of trial by an impartial jury composed of twelve residents of the district, who may render their verdict by a majority vote which in no case may be less than nine.

No person shall be compelled in any criminal case to be a witness against himself and the failure of the accused to testify may be neither taken into consideration nor commented upon against him.

No person shall be twice put in jeopardy of punishment for the same offense.

Before conviction every accused shall be entitled to be admitted to bail.

Incarceration prior to trial shall not exceed six months nor shall bail or fines be excessive. No person shall be imprisoned for debt.

SECTION 12.—Neither slavery nor involuntary servitude shall exist except in the latter case as a punishment for

crime after the accused has been duly convicted. Cruel and unusual punishments shall not be inflicted. Suspension of civil rights including the right to vote shall cease upon service of the term of imprisonment imposed.

No *ex post facto* law or bill of attainder shall be passed.

SECTION 13.—The writ of *habeas corpus* shall be granted without delay and free of costs. The privilege of the writ of *habeas corpus* shall not be suspended, unless the public safety requires it in case of rebellion, insurrection or invasion. Only the Legislative Assembly shall have the power to suspend the privilege of the writ of *habeas corpus* and the laws regulating its issuance.

The military authority shall always be subordinate to civil authority.

SECTION 14.—No titles of nobility or other hereditary honors shall be granted. No officer or employee of the Commonwealth shall accept gifts, donations, decorations or offices from any foreign country or officer without prior authorization by the Legislative Assembly.

SECTION 15.—The employment of children less than fourteen years of age in any occupation which is prejudicial to their health or morals or which places them in jeopardy of life or limb is prohibited.

No child less than sixteen years of age shall be kept in custody in a jail or penitentiary.

SECTION 16.—The right of every employee to choose his occupation freely and to resign therefrom is recognized, as is his right to equal pay for equal work, to a reasonable minimum salary, to protection against risks to his health or person in his work or employment, and to an ordinary workday which shall not exceed eight hours. An employee may work in excess of this daily limit only if he is paid extra compensation as provided by law, at a rate never less than one and one-half times the regular rate at which he is employed.

SECTION 17.—Persons employed by private businesses, enterprises and individual employers and by agencies or instrumentalities of the government operating as private businesses or enterprises, shall have the right to organize and to bargain collectively with their employers through representatives of their own free choosing in order to promote their welfare.

SECTION 18.—In order to assure their right to organize and to bargain collectively, persons employed by private businesses, enterprises and individual employers and by agencies or instrumentalities of the government operating as private businesses or enterprises, in their direct relations with their own employers shall have the right to strike, to picket and to engage in other legal concerted activities.

Nothing herein contained shall impair the authority of the Legislative Assembly to enact laws to deal with grave emergencies that clearly imperil the public health or safety or essential public services.

SECTION 19.—The foregoing enumeration of rights shall not be construed restrictively nor does it contemplate the exclusion of other rights not specifically mentioned which belong to the people in a democracy. The power of the Legislative Assembly to enact laws for the protection of the life, health and general welfare of the people shall likewise not be construed restrictively.

### ARTICLE III

#### THE LEGISLATURE

SECTION 1.—The legislative power shall be vested in a Legislative Assembly, which shall consist of two houses, the Senate and the House of Representatives, whose members shall be elected by direct vote at each general election.

SECTION 2.—The Senate shall be composed of twenty-seven Senators and the House of Representatives of fifty-one Representatives, except as these numbers may be increased in accordance with the provisions of Section 7 of this Article.

SECTION 3.—For the purpose of election of members of the Legislative Assembly, Puerto Rico shall be divided into eight senatorial districts and forty representative districts. Each senatorial district shall elect two Senators and each representative district one Representative.

There shall also be eleven Senators and eleven Representatives elected at large. No elector may vote for more than one candidate for Senator at Large or for more than one candidate for Representative at Large.

SECTION 4.—In the first and subsequent elections under this Constitution the division of senatorial and representative districts as provided in Article VIII shall be in effect. After each decennial census beginning with the year 1960, said division shall be revised by a Board composed of the Chief Justice of the Supreme Court as Chairman and of two additional members appointed by the Governor with the advice and consent of the Senate. The two additional members shall not belong to the same political party. Any revision shall maintain the number of senatorial and representative districts here created, which shall be composed of contiguous and compact territory and shall be organized, insofar as practicable, upon the basis of population and means of communication. Each senatorial district shall always include five representative districts.

The decisions of the Board shall be made by majority vote and shall take effect in the general elections next following each revision. The Board shall cease to exist after the completion of each revision.

SECTION 5.—No person shall be a member of the Legislative Assembly unless he is able to read and write the Spanish or English language and unless he is a citizen of the United States and of Puerto Rico and has resided in Puerto Rico at least two years immediately prior to the date of his election or appointment. No person shall be a member of the Senate who is not over thirty years of age, and no person shall be a member of the House of Representatives who is not over twenty-five years of age.

SECTION 6.—No person shall be eligible to election or appointment as Senator or Representative for a district unless he has resided therein at least one year immediately prior to his election or appointment. When there is more than one representative district in a municipality, residence in the municipality shall satisfy this requirement.

SECTION 7.—If in a general election more than two-thirds of the members of either house are elected from one political party or from a single ticket, as both are defined by law, the number of members shall be increased in the following cases:

(a) If the party or ticket which elected more than two-thirds of the members of either or both houses shall have obtained less than two-thirds of the total number of votes cast for the office of Governor, the number of members of the Senate or of the House of Representatives or of both bodies, whichever may be the case, shall be increased by declaring elected a sufficient number of candidates of the minority party or parties to bring the total number of members of the minority party or parties to nine in the Senate and to seventeen in the House of Representatives. When there is more than one minority party, said additional members shall be declared elected from among the candidates of each minority party in the proportion that the number of votes cast for the candidate of each of said parties for the office of Governor bears to the total number of votes cast for the candidates of all the minority parties for the office of Governor.

When one or more minority parties shall have obtained representation in a proportion equal to or greater than the proportion of votes received by their respective candidates for Governor, such party or parties shall not be entitled to additional members until the representation established for each of the other minority parties under these provisions shall have been completed.

(b) If the party or ticket which elected more than two-thirds of the members of either or both houses shall have obtained more than two-thirds of the total number of votes cast for the office of Governor, and one or more minority parties shall not have elected the number of members in the Senate or in the House of Representatives or in both houses, whichever may be the case, which corresponds to the proportion of votes cast by each of them for the office of Governor, such additional number of their candidates shall be declared elected as is necessary in order to complete said proportion as nearly as possible, but the number of Senators of all the minority parties shall never, under this provision, be more than nine or that of Representatives more than seventeen.

In order to select additional members of the Legislative Assembly from a minority party in accordance with these

provisions, its candidates at large who have not been elected shall be the first to be declared elected in the order of the votes that they have obtained and thereafter its district candidates who, not having been elected, have obtained in their respective districts the highest proportion of the total number of votes cast as compared to the proportion of votes cast in favor of other candidates of the same party not elected to an equal office in the other districts.

The additional Senators and Representatives whose election is declared under this section shall be considered for all purposes as Senators at Large or Representatives at Large.

The measures necessary to implement these guarantees, the method of adjudicating fractions that may result from the application of the rules contained in this section, and the minimum number of votes that a minority party must cast in favor of its candidate for Governor in order to have the right to the representation provided herein shall be determined by the Legislative Assembly.

SECTION 8.—The term of office of Senators and Representative shall begin on the second day of January immediately following the date of the general election in which they shall have been elected. If, prior to the fifteen months immediately preceding the date of the next general election, a vacancy occurs in the office of Senator or Representative for a district, the Governor shall call a special election in said district within thirty days following the date on which the vacancy occurs. This election shall be held not later than ninety days after the call, and the person elected shall hold office for the rest of the unexpired term of his predecessor. When said vacancy occurs during a legislative session, or when the Legislative Assembly or the Senate has been called for a date prior to the certification of the results of the special election, the presiding officer of the appropriate house shall fill said vacancy by appointing the person recommended by the central committee of the political party of which his predecessor in office was a member. Such person shall hold the office until certification of the election of the candidate who was elected. When the vacancy occurs within fifteen months prior to a general election, or when it occurs in the office of a Senator at Large or a Representative at Large, the presiding officer of the appropriate house shall fill it, upon the recommendation of the political party of which the previous holder of the office was a member, by appointing a person selected in the same manner as that in which his predecessor was selected. A vacancy in the office of a Senator at Large or a Representative at Large elected as an independent candidate shall be filled by an election in all districts.

SECTION 9.—Each house shall be the sole judge of the election, returns and qualifications of its members; shall choose its own officers; shall adopt rules for its own proceedings appropriate to legislative bodies; and, with the concurrence of three-fourths of the total number of members of which it is composed, may expel any member for the causes established in Section 21 of this Article, authorizing impeachments. The Senate shall elect a President and the House of Representatives a Speaker from among their respective members.

SECTION 10.—The Legislative Assembly shall be deemed a continuous body during the term for which its members are elected and shall meet in regular session each year commencing on the second Monday in January. The duration of regular sessions and the periods of time for introduction and consideration of bills shall be prescribed by law. When the Governor calls the Legislative Assembly into special session it may consider only those matters specified in the call or in any special message sent to it by him during the session. No special session shall continue longer than twenty calendar days.

SECTION 11.—The sessions of each house shall be open.

SECTION 12.—A majority of the total number of members of which each house is composed shall constitute a quorum, but a smaller number may adjourn from day to day and shall have authority to compel the attendance of absent members.

SECTION 13.—The two houses shall meet in the Capitol of Puerto Rico and neither of them may adjourn for more than three consecutive days without the consent of the other.

SECTION 14.—No member of the Legislative Assembly shall be arrested while the house of which he is a member is in session, or during the fifteen days before or after such session, except for treason, felony or breach of the peace. The members of the Legislative Assembly shall not be questioned in any other place for any speech, debate or vote in either house or in any committee.

SECTION 15.—No Senator or Representative may, during the term for which he was elected or chosen, be appointed to any civil office in the Government of Puerto Rico, its municipalities or instrumentalities, which shall have been created or the salary of which shall have been increased during said term. No person may hold office in the Government of Puerto Rico, its municipalities or instrumentalities and be a Senator or Representative at the same time. These provisions shall not prevent a member of the Legislative Assembly from being designated to perform functions *ad honorem*.

SECTION 16.—The Legislative Assembly shall have the power to create, consolidate or reorganize executive departments and to define their functions.

SECTION 17.—No bill shall become a law unless it has been printed, read, referred to a committee and returned therefrom with a written report, but either house may discharge a committee from the study and report of any bill and proceed to the consideration thereof. Each house shall keep a journal of its proceedings and of the votes cast for and against bills. The legislative proceedings shall be published in a daily record in the form determined by law. Every bill, except general appropriation bills, shall be confined to one subject, which shall be clearly expressed in its title, and any part of an act whose subject has not been expressed in the title shall be void. The general appropriation act shall contain only appropriations and rules for their disbursement. No bill shall be amended in a manner that changes its original purpose or incorporates matters extraneous to it. In amending any article or section of a law, said article or section shall be promulgated in its entirety as amended. All bills for raising revenue shall originate in the House of Representatives, but the Senate may propose or concur with amendments as on other bills.

SECTION 18.—The subjects which may be dealt with by means of joint resolution shall be determined by law, but every joint resolution shall follow the same legislative process as that of a bill.

SECTION 19.—Every bill which is approved by a majority of the total number of members of which each house is composed shall be submitted to the Governor and shall become law if he signs it or if he does not return it, with his objections, to the house in which it originated within ten days (Sundays excepted) counting from the date on which he shall have received it.

When the Governor returns a bill, the house that receives it shall enter his objections on its journal and both houses may reconsider it. If approved by two-thirds of the total number of members of which each house is composed, said bill shall become law.

If the Legislative Assembly adjourns *sine die* before the Governor has acted on a bill that has been presented to him less than ten days before, he is relieved of the obligation of returning it with his objections and the bill shall become law only if the Governor signs it within thirty days after receiving it.

Every final passage or reconsideration of a bill shall be by a roll-call vote.

SECTION 20.—In approving any appropriation bill that contains more than one item, the Governor may eliminate one or more of such items or reduce their amounts, at the same time reducing the total amounts involved.

SECTION 21.—The House of Representatives shall have exclusive power to initiate impeachment proceedings and, with the concurrence of two-thirds of the total number of members of which it is composed, to bring an indictment. The Senate shall have exclusive power to try and to decide impeachment cases, and in meeting for such purposes the Senators shall act in the name of the people and under oath or affirmation. No judgment of conviction in an impeachment trial shall be pronounced without the concurrence of three-fourths of the total number of members of which the Senate is com-

posed, and the judgment shall be limited to removal from office. The person impeached, however, may be liable and subject to indictment, trial, judgment and punishment according to law. The causes of impeachment shall be treason, bribery, other felonies, and misdemeanors involving moral turpitude. The Chief Justice of the Supreme Court shall preside at the impeachment trial of the Governor.

The two houses may conduct impeachment proceedings in their regular or special sessions. The presiding officers of the two houses, upon written request of two-thirds of the total number of members of which the House of Representatives is composed, must convene them to deal with such proceedings.

SECTION 22.—The Governor shall appoint a Controller with the advice and consent of a majority of the total number of members of which each house is composed. The Controller shall meet the requirements prescribed by law and shall hold office for a term of ten years and until his successor has been appointed and qualifies. The Controller shall audit all the revenues, accounts and expenditures of the Commonwealth, of its agencies and instrumentalities and of its municipalities, in order to determine whether they have been made in accordance with law. He shall render annual reports and any special reports that may be required of him by the Legislative Assembly or by the Governor.

In the performance of his duties the Controller shall be authorized to administer oaths, take evidence and compel, under pain of contempt, the attendance of witnesses and the production of books, letters, documents, papers, records and all other articles deemed essential to a full understanding of the matter under investigation.

The Controller may be removed for the causes and pursuant to the procedure established in the preceding section.

#### ARTICLE IV THE EXECUTIVE

SECTION 1.—The executive power shall be vested in a Governor, who shall be elected by direct vote in each general election.

SECTION 2.—The Governor shall hold office for the term of four years from the second day of January of the year following his election and until his successor has been elected and qualifies. He shall reside in Puerto Rico and maintain his office in its capital city.

SECTION 3.—No person shall be Governor unless, on the date of the election, he is at least thirty-five years of age, and is and has been during the preceding five years a citizen of the United States and a citizen and *bona fide* resident of Puerto Rico.

SECTION 4.—The Governor shall execute the laws and cause them to be executed.

He shall call the Legislative Assembly or the Senate into special session when in his judgment the public interest so requires.

He shall appoint, in the manner prescribed by this Constitution or by law, all officers whose appointment he is authorized to make. He shall have the power to make appointments while the Legislative Assembly is not in session. Any such appointments that require the advice and consent of the Senate or of both houses shall expire at the end of the next regular session.

He shall be the commander-in-chief of the militia.

He shall have the power to call out the militia and summon the *posse comitatus* in order to prevent or suppress rebellion, invasion or any serious disturbance of the public peace.

He shall have the power to proclaim martial law when the public safety requires it in case of rebellion or invasion or imminent danger thereof. The Legislative Assembly shall meet forthwith on their own initiative to ratify or revoke the proclamation.

He shall have the power to suspend the execution of sentences in criminal cases and to grant pardons, commutations of punishment, and total or partial remissions of fines and forfeitures for crimes committed in violation of the laws of Puerto Rico. This power shall not extend to cases of impeachment.

He shall approve or disapprove in accordance with this Constitution the joint resolutions and bills passed by the Legislative Assembly.

He shall present to the Legislative Assembly, at the beginning of each regular session, a message concerning the affairs of the Commonwealth and a report concerning the state of the Treasury of Puerto Rico and the proposed expenditures for the ensuing fiscal year. Said report shall contain the information necessary for the formulation of a program of legislation.

He shall exercise the other powers and functions and discharge the other duties assigned to him by this Constitution or by law.

SECTION 5.—For the purpose of exercising executive power, the Governor shall be assisted by Secretaries whom he shall appoint with the advice and consent of the Senate. The appointment of the Secretary of State shall in addition require the advice and consent of the House of Representatives, and the person appointed shall fulfill the requirements established in Section 3 of this Article. The Secretaries shall collectively constitute the Governor's advisory council, which shall be designated as the Council of Secretaries.

SECTION 6.—Without prejudice to the power of the Legislative Assembly to create, reorganize and consolidate executive departments and to define their functions, the following departments are hereby established: State, Justice, Education, Health, Treasury, Labor, Agriculture and Commerce, and Public Works. Each of these executive departments shall be headed by a Secretary.

SECTION 7.—When a vacancy occurs in the office of Governor, caused by death, resignation, removal, total and permanent incapacity, or any other absolute disability, said office shall devolve upon the Secretary of State, who shall hold it for the rest of the term and until a new Governor has been elected and qualifies. In the event that vacancies exist at the same time in both the office of Governor and that of Secretary of State, the law shall provide which of the Secretaries shall serve as Governor.

SECTION 8.—When for any reason the Governor is temporarily unable to perform his functions, the Secretary of State shall substitute for him during the period he is unable to serve. If for any reason the Secretary of State is not available, the Secretary determined by law shall temporarily hold the office of Governor.

SECTION 9.—If the Governor-elect shall not have qualified, or if he has qualified and a permanent vacancy occurs in the office of Governor before he shall have appointed a Secretary of State, or before said Secretary, having been appointed, shall have qualified, the Legislative Assembly just elected, upon convening for its first regular session, shall elect, by a majority of the total number of members of which each house is composed, a Governor who shall hold office until his successor is elected in the next general election and qualifies.

SECTION 10.—The Governor may be removed for the causes and pursuant to the procedure established in Section 21 of Article III of this Constitution.

#### ARTICLE V THE JUDICIARY

SECTION 1.—The judicial power of Puerto Rico shall be vested in a Supreme Court, and in such other courts as may be established by law.

SECTION 2.—The courts of Puerto Rico shall constitute a unified judicial system for purposes of jurisdiction, operation and administration. The Legislative Assembly may create and abolish courts, except for the Supreme Court, in a manner not inconsistent with this Constitution, and shall determine the venue and organization of the courts.

SECTION 3.—The Supreme Court shall be the court of last resort in Puerto Rico and shall be composed of a Chief Justice and four Associate Justices. The number of Justices may be changed only by law upon request of the Supreme Court.

SECTION 4.—The Supreme Court shall sit, in accordance with rules adopted by it, as a full court or in divisions. All the decisions of the Supreme Court shall be concurred in by a majority of its members. No law shall be held unconstitutional except by a majority of the total number of Justices of which the Court is composed in accordance with this Constitution or with law.

SECTION 5.—The Supreme Court, any of its divisions, or any of its Justices may hear in the first instance

petitions for *habeas corpus* and any other causes and proceedings as determined by law.

SECTION 6.—The Supreme Court shall adopt for the courts rules of evidence and of civil and criminal procedure which shall not abridge, enlarge or modify the substantive rights of the parties. The rules thus adopted shall be submitted to the Legislative Assembly at the beginning of its next regular session and shall not go into effect until sixty days after the close of said session, unless disapproved by the Legislative Assembly, which shall have the power both at said session and subsequently to amend, repeal or supplement any of said rules by a specific law to that effect.

SECTION 7.—The Supreme Court shall adopt rules for the administration of the courts. These rules shall be subject to the laws concerning procurement, personnel, audit and appropriation of funds, and other laws which apply generally to all branches of the government. The Chief Justice shall direct the administration of the courts and shall appoint an administrative director who shall hold office at the will of the Chief Justice.

SECTION 8.—Judges shall be appointed by the Governor with the advice and consent of the Senate. Justices of the Supreme Court shall not assume office until after confirmation by the Senate and shall hold their offices during good behavior. The terms of office of the other judges shall be fixed by law and shall not be less than that fixed for the term of office of a judge of the same or equivalent category existing when this Constitution takes effect. The other officials and employees of the courts shall be appointed in the manner provided by law.

SECTION 9.—No person shall be appointed a Justice of the Supreme Court unless he is a citizen of the United States and of Puerto Rico, shall have been admitted to the practice of law in Puerto Rico at least ten years prior to his appointment, and shall have resided in Puerto Rico at least five years immediately prior thereto.

SECTION 10.—The Legislative Assembly shall establish a retirement system for judges. Retirement shall be compulsory at the age of seventy years.

SECTION 11.—Justices of the Supreme Court may be removed for the causes and pursuant to the procedure established in Section 21 of Article III of this Constitution. Judges of the other courts may be removed by the Supreme Court for the causes and pursuant to the procedure provided by law.

SECTION 12.—No judge shall make a direct or indirect financial contribution to any political organization or party, or hold any executive office therein, or participate in a political campaign of any kind, or be a candidate for an elective public office unless he has resigned his judicial office at least six months prior to his nomination.

SECTION 13.—In the event that a court or any of its divisions or sections is changed or abolished by law, the person holding a post of judge therein shall continue to hold it during the rest of the term for which he was appointed and shall perform the judicial functions assigned to him by the Chief Justice of the Supreme Court.

#### ARTICLE VI GENERAL PROVISIONS

SECTION 1.—The Legislative Assembly shall have the power to create, abolish, consolidate and reorganize municipalities; to change their territorial limits; to determine their organization and functions; and to authorize them to develop programs for the general welfare and to create any agencies necessary for that purpose.

No law abolishing or consolidating municipalities shall take effect until ratified in a referendum by a majority of the qualified electors voting in said referendum in each of the municipalities to be abolished or consolidated. The referendum shall be conducted in the manner determined by law, which shall include the applicable procedures of the election laws in effect when the referendum law is approved.

SECTION 2.—The power of the Commonwealth of Puerto Rico to impose and collect taxes and to authorize their imposition and collection by municipalities shall be exercised as determined by the Legislative Assembly and shall never be surrendered or suspended. The power of the Commonwealth of Puerto Rico to contract and to

authorize the contracting of debts shall be exercised as determined by the Legislative Assembly.

SECTION 3.—The rule of taxation in Puerto Rico shall be uniform.

SECTION 4.—General elections shall be held every four years on the day of November determined by the Legislative Assembly. In said elections there shall be elected a Governor, the members of the Legislative Assembly, and the other officials whose election on that date is provided for by law.

Every person over twenty-one years of age shall be entitled to vote if he fulfills the other conditions determined by law. No person shall be deprived of the right to vote because he does not know how to read or write or does not own property.

All matters concerning the electoral process, registration of voters, political parties and candidates shall be determined by law.

Every popularly elected official shall be elected by direct vote and any candidate who receives more votes than any other candidate for the same office shall be declared elected.

SECTION 5.—The laws shall be promulgated in accordance with the procedure prescribed by law and shall specify the terms under which they shall take effect.

SECTION 6.—If at the end of any fiscal year the appropriations necessary for the ordinary operating expenses of the government and for the payment of interest on and amortization of the public debt for the ensuing fiscal year shall not have been made, the several sums appropriated in the last appropriation acts for the objects and purposes therein specified, so far as the same may be applicable, shall continue in effect item by item, and the Governor shall authorize the payments necessary for such purposes until corresponding appropriations are made.

SECTION 7.—The appropriations made for any fiscal year shall not exceed the total revenues, including available surplus, estimated for said fiscal year unless the imposition of taxes sufficient to cover said appropriations is provided by law.

SECTION 8.—In case the available revenues including surplus for any fiscal year are insufficient to meet the appropriations made for that year, interest on the public debt and amortization thereof shall first be paid, and other disbursements shall thereafter be made in accordance with the order of priorities established by law.

SECTION 9.—Public property and funds shall only be disposed of for public purposes, for the support and operation of state institutions, and pursuant to law.

SECTION 10.—No law shall give extra compensation to any public officer, employee, agent or contractor after services shall have been rendered or contract made. No law shall extend the term of any public officer or diminish his salary or emoluments after his election or appointment. No person shall draw a salary for more than one office or position in the government of Puerto Rico.

SECTION 11.—The salaries of the Governor, the Secretaries, the members of the Legislative Assembly, the Controller and Judges shall be fixed by a special law and, except for the salaries of the members of the Legislative Assembly, shall not be decreased during the terms for which they are elected or appointed. The salaries of the Governor and the Controller shall not be increased during said terms. No increase in the salaries of the members of the Legislative Assembly shall take effect until after the expiration of the term of the Legislative Assembly during which it is enacted. Any reduction of the salaries of the members of the Legislative Assembly shall be effective only during the term of the Legislative Assembly which approves it.

SECTION 12.—The Governor shall occupy and use, free of rent, the buildings and properties belonging to the Commonwealth which have been or shall hereafter be used and occupied by him as chief executive.

SECTION 13.—The procedure for granting franchises, rights, privileges and concessions of a public or quasi-public nature shall be determined by law, but every concession of this kind to a person or private entity must be approved by the Governor or by the executive official whom he designates. Every franchise, right, privilege or concession of a public or quasi-public nature shall be

subject to amendment, alteration or repeal as determined by law.

SECTION 14.—No corporation shall be authorized to conduct the business of buying and selling real estate or be permitted to hold or own real estate except such as may be reasonably necessary to enable it to carry out the purposes for which it was created, and every corporation authorized to engage in agriculture shall by its charter be restricted to the ownership and control of not to exceed five hundred acres of land; and this provision shall be held to prevent any member of a corporation engaged in agriculture from being in any wise interested in any other corporation engaged in agriculture.

Corporations, however, may loan funds upon real estate security, and purchase real estate when necessary for the collection of loans, but they shall dispose of real estate so obtained within five years after receiving the title.

Corporations not organized in Puerto Rico, but doing business in Puerto Rico, shall be bound by the provisions of this section so far as they are applicable.

These provisions shall not prevent the ownership, possession or management of lands in excess of five hundred acres by the Commonwealth, its agencies or instrumentalities.

SECTION 15.—The Legislative Assembly shall determine all matters concerning the flag, the seal and the anthem of the Commonwealth. Once determined, no law changing them shall take effect until one year after the general election next following the date of enactment of said law.

SECTION 16.—All public officials and employees of the Commonwealth, its agencies, instrumentalities and political subdivisions, before entering upon their respective duties, shall take an oath to support the Constitution of the United States and the Constitution and laws of the Commonwealth of Puerto Rico.

SECTION 17.—In case of invasion, rebellion, epidemic or any other event giving rise to a state of emergency, the Governor may call the Legislative Assembly to meet in a place other than the Capitol of Puerto Rico, subject to the approval or disapproval of the Legislative Assembly. Under the same conditions, the Governor may, during the period of emergency, order the government, its agencies and instrumentalities to be moved temporarily to a place other than the seat of the government.

SECTION 18.—All criminal actions in the courts of the Commonwealth shall be conducted in the name and by the authority of "The People of Puerto Rico" until otherwise provided by law.

SECTION 19.—It shall be the public policy of the Commonwealth to conserve, develop and use its natural resources in the most effective manner possible for the general welfare of the community; to conserve and maintain buildings and places declared by the Legislative Assembly to be of historic or artistic value; to regulate its penal institutions in a manner that effectively achieves their purposes and to provide, within the limits of available resources, for adequate treatment of delinquents in order to make possible their moral and social rehabilitation.

## ARTICLE VII

### AMENDMENTS TO THE CONSTITUTION

SECTION 1.—The Legislative Assembly may propose amendments to this Constitution by a concurrent resolution approved by not less than two-thirds of the total number of members of which each house is composed. All proposed amendments shall be submitted to the qualified electors in a special referendum, but if the concurrent resolution is approved by not less than three-fourths of the total number of members of which each house is composed, the Legislative Assembly may provide that the referendum shall be held at the same time as the next general election. Each proposed amendment shall be voted on separately and not more than three proposed amendments may be submitted at the same referendum. Every proposed amendment shall specify the terms under which it shall take effect, and it shall become a part of this Constitution if it is ratified by a majority of the electors voting thereon. Once approved, a proposed amendment must be published at least three months prior to the date of the referendum.



SECTION 2.—The Legislative Assembly, by a concurrent resolution approved by two-thirds of the total number of members of which each house is composed, may submit to the qualified electors at a referendum, held at the same time as a general election, the question of whether a constitutional convention shall be called to revise this Constitution. If a majority of the electors voting on this question vote in favor of the revision, it shall be made by a Constitutional Convention elected in the manner provided by law. Every revision of this Constitution shall be submitted to the qualified electors at a special referendum for ratification or rejection by a majority of the votes cast at the referendum.

SECTION 3.—No amendment to this Constitution shall alter the republican form of government established by it or abolish its bill of rights. Any amendment or revision of this Constitution shall be consistent with the resolution enacted by the Congress of the United States approving this Constitution, with the applicable provisions of the Constitution of the United States, with the Puerto Rican Federal Relations Act, and with Public Law 600, Eighty-first Congress, adopted in the nature of a compact.

#### ARTICLE VIII

##### SENATORIAL AND REPRESENTATIVE DISTRICTS

SECTION 1.—The senatorial and representative districts shall be the following:

I.—SENATORIAL DISTRICT OF SAN JUAN, which shall be composed of the following Representative Districts: 1.—The Capital of Puerto Rico, excluding the present electoral precincts of Santurce and Río Piedras; 2.—Electoral zones numbers 1 and 2 of the present precinct of Santurce; 3.—Electoral zone number 3 of the present precinct of Santurce; 4.—Electoral zone number 4 of the present precinct of Santurce; and 5.—Wards Hato Rey, Puerto Nuevo and Caparra Heights of the Capital of Puerto Rico.

II.—SENATORIAL DISTRICT OF BAYAMÓN, which shall be composed of the following Representative Districts: 6.—The municipality of Bayamón; 7.—The municipalities of Carolina and Trujillo Alto; 8.—The present electoral precinct of Río Piedras, excluding wards Hato Rey, Puerto Nuevo and Caparra Heights of the Capital of Puerto Rico; 9.—The municipalities of Cataño, Guaynabo and Toa Baja; and 10.—The municipalities of Toa Alta, Corozal and Naranjito.

III.—SENATORIAL DISTRICT OF ARECIBO, which shall be composed of the following Representative Districts: 11.—The municipalities of Vega Baja, Vega Alta and Dorado; 12.—The municipalities of Manatí and Barceloneta; 13.—The municipalities of Ciales and Morovis; 14.—The municipality of Arecibo; and 15.—The municipality of Utuado.

IV.—SENATORIAL DISTRICT OF AGUADILLA, which shall be composed of the following Representative Districts: 16.—The municipalities of Camuy, Hatillo and Quebradillas; 17.—The municipalities of Aguadilla and Isabela; 18.—The municipalities of San Sebastián and Moca; 19.—The municipalities of Lares, Las Marías and Maricao; and 20.—The municipalities of Añasco, Aguada and Rincón.

V.—SENATORIAL DISTRICT OF MAYAGÜEZ, which shall be composed of the following Representative Districts: 21.—The municipality of Mayagüez; 22.—The municipalities of Cabo Rojo, Hormigueros and Lajas; 23.—The municipalities of San Germán and Sabana Grande; 24.—The municipalities of Yauco and Guánica; and 25.—The municipalities of Guayanilla and Peñuelas.

VI.—SENATORIAL DISTRICT OF PONCE, which shall be composed of the following Representative Districts: 26.—The first, second, third, fourth, fifth and sixth wards and the City Beach of the municipality of Ponce; 27.—The municipality of Ponce, except for the first, second, third, fourth, fifth and sixth wards and the City Beach; 28.—The municipalities of Adjuntas and Jayuya; 29.—The municipalities of Juana Díaz, Santa Isabel and Villalba; and 30.—The municipalities of Coamo and Orocovis.

VII.—SENATORIAL DISTRICT OF GUAYAMA, which shall be composed of the following Representative Districts: 31.—The municipalities of Albonito, Barranquitas and Comerio; 32.—The municipalities of Cayey and Cidra; 33.—The municipalities of Caguas and Aguas Buenas; 34.—

The municipalities of Guayama and Salinas; and 35.—The municipalities of Patillas, Maunabo and Arroyo.

VIII.—SENATORIAL DISTRICT OF HUMACAO, which shall be composed of the following Representative Districts: 36.—The municipalities of Humacao and Yabucoa; 37.—The municipalities of Juncos, Gurabo and San Lorenzo; 38.—The municipalities of Naguabo, Ceiba and Las Piedras; 39.—The municipalities of Fajardo and Vieques and the Island of Culebra; and 40.—The municipalities of Río Grande, Loíza and Luquillo.

SECTION 2.—Electoral zones numbers 1, 2, 3 and 4 included in three representative districts within the senatorial district of San Juan are those presently existing for purposes of electoral organization in the second precinct of San Juan.

#### ARTICLE IX

##### TRANSITORY PROVISIONS

SECTION 1.—When this Constitution goes into effect all laws not inconsistent therewith shall continue in full force until amended or repealed, or until they expire by their own terms.

Unless otherwise provided by this Constitution, civil and criminal liabilities, rights, franchises, concessions, privileges, claims, actions, causes of action, contracts, and civil, criminal and administrative proceedings shall continue unaffected, notwithstanding the taking effect of this Constitution.

SECTION 2.—All officers who are in office by election or appointment on the date this Constitution takes effect shall continue to hold their offices and to perform the functions thereof in a manner not inconsistent with this Constitution, unless the functions of their offices are abolished or until their successors are selected and qualify in accordance with this Constitution and laws enacted pursuant thereto.

SECTION 3.—Notwithstanding the age limit fixed by this Constitution for compulsory retirement, all the judges of the courts of Puerto Rico who are holding office on the date this Constitution takes effect shall continue to hold their judicial offices until the expiration of the terms for which they were appointed, and in the case of Justices of the Supreme Court during good behavior.

SECTION 4.—The Commonwealth of Puerto Rico shall be the successor of the People of Puerto Rico for all purposes, including without limitation the collection and payment of debts and liabilities in accordance with their terms.

SECTION 5.—When this Constitution goes into effect, the term "citizen of the Commonwealth of Puerto Rico" shall replace the term "citizen of Puerto Rico" as previously used.

SECTION 6.—Political parties shall continue to enjoy all rights recognized by the election law, provided that on the effective date of this Constitution they fulfill the minimum requirements for the registration of new parties contained in said law. Five years after this Constitution shall have taken effect the Legislative Assembly may change these requirements, but any law increasing them shall not go into effect until after the general election next following its enactment.

SECTION 7.—The Legislative Assembly may enact the laws necessary to supplement and make effective these transitory provisions in order to assure the functioning of the government until the officers provided for by this Constitution are elected or appointed and qualify, and until this Constitution takes effect in all respects.

SECTION 8.—If the Legislative Assembly creates a Department of Commerce, the Department of Agriculture and Commerce shall thereafter be called the Department of Agriculture.

SECTION 9.—The first election under the provisions of this Constitution shall be held on the date provided by law, but not later than six months after the effective date of this Constitution. The second general election under this Constitution shall be held in the month of November 1956 on a day provided by law.

SECTION 10.—This Constitution shall take effect when the Governor so proclaims, but not later than sixty days after its ratification by the Congress of the United States.

Done in Convention, at San Juan, Puerto Rico, on the sixth day of February, in the year of Our Lord one thousand nine hundred and fifty-two.



**§ 731e. Sections continued in force and effect.**

Sections 731, 733a, 734, 737, 741—742, 745, 747—749, 751, 794, 795, 821, 863, 864, 867, 868, 872, 874, and 891—893 are continued in force and effect. (July 3, 1950, ch. 446, § 4, 64 Stat. 319.)

**SHORT TITLE**

Section 4 of act July 3, 1950 provided in part that the sections cited in the text of this section should be popularly known as the "Puerto Rican Federal Relations Act".

**§ 732. Repealed. July 3, 1950, ch. 446, § 5 (2), 64 Stat. 320, eff. July 25, 1952.**

Section, acts Mar. 2, 1917, ch. 145, § 4, 39 Stat. 953; May 17, 1932, ch. 190, 47 Stat. 158, which derived from act Apr. 12, 1900, ch. 191, § 6, 31 Stat. 79, designated San Juan as the capital of Puerto Rico. Subject matter is now covered by Art. I, § 4, of the Constitution of the Commonwealth of Puerto Rico, set out as a note under section 731d of this title.

**EFFECTIVE DATE OF REPEAL**

The repealing act provided that the repeal of former section 732 of this title and other sections in this chapter should become effective when the Constitution of Puerto Rico became effective. Under section 731d of this title, that Constitution, upon approval by the Congress of the United States, "shall become effective in accordance with its terms". Congress, by Joint Res. July 3, 1952, ch. 567, 66 Stat. 327, approved, with certain conditions, that Constitution; the approving act further provided that the Constitution, as so approved, "shall become effective when the Constitutional Convention of Puerto Rico shall have declared in a formal resolution its acceptance in the name of Puerto Rico of the conditions of approval herein contained, and when the Governor of Puerto Rico, being duly notified by the proper officials of the Constitutional Convention of Puerto Rico that such resolution of acceptance has been formally adopted, shall issue a proclamation to that effect". The Constitution was proclaimed by the Governor of Puerto Rico on July 25, 1952 and became effective on that date.

**§ 733. Citizens; former Spanish subjects and children; body politic; name.**

All inhabitants continuing to reside in Puerto Rico who were Spanish subjects on the 11th day of April 1899, and then resided in Puerto Rico, and their children born subsequent thereto, shall be deemed and held to be citizens of Puerto Rico, and as such entitled to the protection of the United States, except such as shall have elected to preserve their allegiance to the Crown of Spain on or before the 11th day of April 1900, in accordance with the provisions of the treaty of peace between the United States and Spain entered into on the 11th day of April 1899; and they, together with such citizens of the United States as may reside in Puerto Rico, shall constitute a body politic under the name of the People of Puerto Rico, with governmental powers as hereinafter in this chapter conferred, and with power to sue and be sued as such. (Apr. 12, 1900, ch. 191, § 7, 31 Stat. 79; May 17, 1932, ch. 190, 47 Stat. 158.)

**REFERENCES IN TEXT**

In the original "hereinafter in this chapter conferred" reads "hereinafter conferred", meaning as hereinafter conferred in act Apr. 12, 1900. That act is set out as sections 1 and 11 of Title 11, Bankruptcy; sections 733 and 738—740, 744 of this title.

**CHANGE OF NAME**

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

**CROSS REFERENCES**

Citizen of the Commonwealth of Puerto Rico as replacing citizen of Puerto Rico, see Art. IX, § 5, of Com-

monwealth Constitution, set out as a note under section 731d of this title.

Persons born in Puerto Rico declared citizens of the United States, see section 1402 of Title 8, Aliens and Nationality.

**§ 733a. Citizens; residence in island of citizens of United States.**

All citizens of the United States who have resided or who shall after March 4, 1927, reside in the island for one year shall be citizens of Puerto Rico. (Mar. 2, 1917, ch. 145, § 5a, as added Mar. 4, 1927, ch. 503, § 2, 44 Stat. 1418, and amended May 17, 1932, ch. 190, 47 Stat. 158.)

**CHANGE OF NAME**

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

**CROSS REFERENCES**

Citizen of the Commonwealth of Puerto Rico as replacing citizen of Puerto Rico, see Art. IX, § 5, of Commonwealth Constitution, set out as a note under section 731d of this title.

Workmen's compensation provisions as applicable to, see section 793 of Title 5, Executive Departments and Government Officers and Employees.

**§ 733a-1. Repealed. June 27, 1952, ch. 477, title IV, § 403 (a) (14), 66 Stat. 279.**

Section, act Mar. 2, 1917, ch. 145, § 5b, as added June 25, 1948, ch. 649, 62 Stat. 1015, related to nonapplication of former section 804 (c) of Title 8, Aliens and Nationality, and is not now covered.

**§ 733h. American citizenship of persons born in Puerto Rico; naturalization of women.****CODIFICATION**

Prior to the enactment of the Nationality Act of 1940, this section, act Mar. 2, 1917, ch. 145, § 5b, as added June 27, 1934, ch. 845, 48 Stat. 1245, provided as follows: "All persons born in Puerto Rico on or after April 11, 1899 (whether before or after June 27, 1934) and not citizens, subjects, or nationals of any foreign power, are hereby declared to be citizens of the United States: *Provided*, That this section shall not be construed as depriving any person, native of Puerto Rico, of his or her American citizenship heretofore otherwise lawfully acquired by such person; or to extend such citizenship to persons who shall have renounced or lost it under the treaties and/or laws of the United States or who are now residing permanently abroad and are citizens or subjects of a foreign country: *And provided further*, That any woman, native of Puerto Rico and permanently residing therein, who, prior to March 2, 1917, had lost her American nationality by reason of her marriage to an alien eligible to citizenship, or by reason of the loss of the United States citizenship by her husband, may be naturalized under the provisions of section 369 of Title 8."

The second proviso thereof was repealed by section 504 of the Nationality Act of 1940 (Act Oct. 14, 1940, ch. 876, 54 Stat. 1137). Present provisions relating to citizenship of persons born in Puerto Rico, formerly contained in section 203 of Nationality Act of 1940 [former section 602 of Title 8, Aliens and Nationality], which was repealed by act June 27, 1952, ch. 477, title IV, § 403(a) (42) 66 Stat. 280, are contained in section 1402 of Title 8, Aliens and Nationality.

**§ 734. United States laws extended to Puerto Rico; internal revenue receipts covered into treasury.**

The statutory laws of the United States not locally inapplicable, except as hereinbefore or hereinafter otherwise provided, shall have the same force and effect in Puerto Rico as in the United States, except the internal revenue laws other than those contained in the Philippine Trade Act of 1946 or the Philippine Trade Agreement Revision Act of 1955: *Provided, however*, That after May 1, 1946, all taxes

collected under the internal revenue laws of the United States on articles produced in Puerto Rico and transported to the United States, or consumed in the island shall be covered into the Treasury of Puerto Rico. (Mar. 2, 1917, ch. 145, § 9, 39 Stat. 954; May 17, 1932, ch. 190, 47 Stat. 158; Apr. 30, 1946, ch. 244, title V, § 513, 60 Stat. 158; Aug. 1, 1955, ch. 438, title III, § 308, 69 Stat. 427.)

#### REFERENCES IN TEXT

The Philippine Trade Agreement Revision Act of 1955, referred to in the text, is classified to sections 1371–1379 of Title 22, Foreign Relations and Intercourse, and this section.

The Philippine Trade Act of 1946, referred to in the text, was classified to sections 1251–1332, 1334–1360, and 1393 of Title 22, Foreign Relations and Intercourse, former sections 2470(a)(2) and 2800(a)(4)(B) of Title 26, Internal Revenue Code, 1939, and this section. Sections 2470(a)(2) and 2800(a)(4)(B) of Title 26 were repealed by section 7851 of Title 26, IRC, 1954 and are now covered by sections 4511 and 5001(a)(4) of that title.

#### AMENDMENTS

1955—Act Aug. 1, 1955, amended section by inserting "or the Philippine Trade Agreement Revision Act of 1955".

1946—Act Apr. 30, 1946, amended section by inserting "other than those contained in the Philippine Trade Act of 1946", preceding proviso.

#### CHANGE OF NAME

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

#### EFFECTIVE DATE OF 1955 AMENDMENT

Amendment of this section by act Aug. 1, 1955, as effective on January 1, 1956, see note under section 1373 of Title 22, Foreign Relations and Intercourse.

#### EFFECTIVE DATE OF 1946 AMENDMENT

Amendment of section by act Apr. 30, 1946, as effective on the day after the date of its enactment, April 30, 1946, see note under section 1251 of Title 22, Foreign Relations and Intercourse.

#### PRIOR LAW

Act Apr. 12, 1900, ch. 191, § 14, 31 Stat. 80, was substantially identical with this section, but contained in lieu of the proviso the words "which, in view of the provisions of section three, shall not have force and effect in Porto Rico." As to section 3 of act Apr. 12, 1900, ch. 191, see section 738 of this title and notes thereunder.

#### CROSS REFERENCES

Articles, goods, wares, or merchandise going into Puerto Rico from United States, exempt from payment of any tax imposed by internal revenue laws of United States, see section 7653(b) of Title 26, Internal Revenue Code, 1954.

Deposit of internal revenue collections, see section 7652(a)(3) of Title 26, Internal Revenue Code, 1954.

Income tax on residents of Puerto Rico, see section 933 of Title 26, Internal Revenue Code, 1954.

Internal revenue tax on articles of merchandise of Puerto Rican manufacture coming into the United States and withdrawn for consumption or sale, see section 7652(a)(1) of Title 26, Internal Revenue Code, 1954.

Interstate Commerce Act as amended and the Safety Appliance Acts as amended as inapplicable to Puerto Rico, see section 751 of this title.

References to possessions in Internal Revenue Code as referring to Commonwealth of Puerto Rico, see section 7701(c) of Title 26, Internal Revenue Code, 1954.

Taxes collected, as trust funds, see section 725s of Title 31, Money and Finance.

EX. ORD. NO. 10005. ESTABLISHMENT OF PRESIDENT'S ADVISORY COMMISSION ON RELATION OF FEDERAL LAWS TO PUERTO RICO

EX. ORD. NO. 10005, Oct. 6, 1948, 13 F. R. 5854, provided: WHEREAS section 9 of the Organic Act of Puerto Rico, 39 Stat. 954 [this section], provides that "the statutory laws of the United States not locally inapplicable, except

as hereinbefore or hereinafter otherwise provided, shall have the same force and effect in Puerto Rico as in the United States"; and

WHEREAS section 49b (3) of the said Act, which was added by section 6 of the act of August 5, 1947, 61 Stat. 772 [former section 793b of this title], provides that "the President of the United States may, from time to time, after hearing, promulgate Executive orders expressly excepting Puerto Rico from the application of any Federal law, not expressly declared by Congress to be applicable to Puerto Rico, which as contemplated by section 9 of this act [this section] is inapplicable by reason of local conditions":

NOW, THEREFORE, by virtue of the authority vested in me by the said Organic Act of Puerto Rico, and as President of the United States, it is ordered as follows:

1. There is hereby created a commission to be known as the President's Advisory Commission on the Relation of Federal Laws to Puerto Rico, which shall be composed of nine members to be designated by the President and to serve without compensation.

2. The Commission shall from time to time make recommendations to the President concerning the exercise of his power under section 49b (3) of the Organic Act of Puerto Rico [former section 793b of this title] to exempt Puerto Rico from the application of Federal laws. To that end, the Commission is authorized to examine into, and to hold hearings on, the inapplicability of Federal laws to Puerto Rico by reason of local conditions.

3. All executive departments and agencies of the Federal Government are authorized and directed to cooperate with the Commission in its work and to furnish the Commission such information as the Commission may require in the performance of its duties.

4. The Commission shall continue to exist until the President terminates its existence by Executive order.

EX. ORD. NO. 9909. EXEMPTING DISTRICT COURT OF THE UNITED STATES FOR PUERTO RICO AND THE DEPARTMENT OF JUSTICE FROM MAKING REPORTS REQUIRED BY THIS SECTION

EX. ORD. NO. 9909, Dec. 10, 1947, 12 F. R. 8291, provided: "By virtue of the authority vested in me by section 49b (2) of the Organic Act of Puerto Rico, as amended by section 6 of the Act of August 5, 1947, Public Law 362, 80th Congress [former section 793b of this title], it is hereby ordered that the District Court of the United States for Puerto Rico and the Department of Justice shall be exempt from making the reports to the Coordinator of Federal Agencies in Puerto Rico which are provided for in such section."

§ 734a. Extension of industrial alcohol and internal revenue laws to Puerto Rico.

Sections 71–89 of Title 27 and all provisions of the internal revenue laws relating to the enforcement thereof, are extended to and made applicable to Puerto Rico from and after August 27, 1935. The Insular Government shall advance to the Treasury of the United States such funds as may be required from time to time by the Secretary of the Treasury for the purpose of defraying all expenses incurred by the Treasury Department in connection with the enforcement in Puerto Rico of the said sections and regulations promulgated thereunder. The funds so advanced shall be deposited in a separate trust fund in the Treasury of the United States and shall be available to the Treasury Department for the purposes of this section. (June 26, 1936, ch. 830, title III, § 329 (c), 49 Stat. 1947.)

#### REFERENCES IN TEXT

The provisions of sections 71–89 of Title 27, Intoxicating Liquors, to which reference is made in this section, were repealed and substantially reenacted as part of the Internal Revenue Code, 1954. See sections 5004, 5005, 5007, 5011, 5194, 5301–5303, 5305, 5306, 5308–5310, 5313, 5317, 5412, 5502, 5686, and 5688 of Title 26, Internal Revenue Code, 1954.

## CODIFICATION

Provisions similar to this section relating to the Virgin Islands are set out as section 1402 of this title.

## CROSS REFERENCE

Industrial alcohol plants, application of internal revenue laws to Puerto Rico, see section 5318 of Title 26, Internal Revenue Code, 1954.

§ 735. Repealed. July 3, 1950, ch. 446, § 5 (2), 64 Stat. 320, eff. July 25, 1952.

Section, acts Mar. 2, 1917, ch. 145, § 57, 39 Stat. 968; May 17, 1932, ch. 190, 47 Stat. 158, which derived from act Apr. 12, 1900, ch. 191, §§ 8 in part, 15, 31 Stat. 79, 80, continued certain Puerto Rican Laws in force and authorized the legislative authority to modify or repeal laws. Subject matter is now covered by Art. IX, § 1 of the Constitution of the Commonwealth of Puerto Rico, set out as a note under section 731d of this title.

## EFFECTIVE DATE OF REPEAL

For explanation of the date of July 25, 1952, as being the effective date of that repeal, see note under former section 732 of this title.

§ 736. Puerto Rican law modified.

So much of the law which was in force at the time of cession, April 11th, 1899, forbidding the marriage of priests, ministers, or followers of any faith because of vows they may have taken, being paragraph 4, article 83, chapter 3, civil code, and which was continued by the order of the secretary of justice of Puerto Rico, dated March 17, 1899, and promulgated by Major General Guy V. Henry, United States Volunteers, is repealed and annulled, and all persons lawfully married in Puerto Rico shall have all the rights and remedies conferred by law upon parties to either civil or religious marriages. Paragraph 1, article 105, section 4, divorce, civil code, and paragraph 2, section 19, of the order of the minister of justice of Puerto Rico, dated March 17, 1899, and promulgated by Major General Guy V. Henry, United States Volunteers, are so amended as to read: "Adultery on the part of either the husband or the wife." (Apr. 12, 1900, ch. 191, § 8, 31 Stat. 79; May 17, 1932, ch. 190, 47 Stat. 158.)

## CHANGE OF NAME

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

§ 737. Privileges and immunities.

The rights, privileges, and immunities of citizens of the United States shall be respected in Puerto Rico to the same extent as though Puerto Rico were a State of the Union and subject to the provisions of paragraph 1 of section 2 of article IV of the Constitution of the United States. (Mar. 2, 1917, ch. 145, § 2, 39 Stat. 951; Feb. 3, 1921, ch. 34, § 1, 41 Stat. 1096; May 17, 1932, ch. 190, 47 Stat. 158; Mar. 2, 1934, ch. 37, § 1, 48 Stat. 361; Aug. 5, 1947, ch. 490, § 7, 61 Stat. 772; July 3, 1950, ch. 446, § 5 (1), 64 Stat. 320.)

## AMENDMENTS

1950—Act July 3, 1950, repealed all of section relating to bill of rights and restrictions except last paragraph. 1947—Act Aug. 5, 1947, added privileges and immunities provisions.

1934—Act Mar. 2, 1934, repealed so much of former provisions of twentieth paragraph of this section making it unlawful to import, manufacture, sell or give away, or to expose for sale or gift any intoxicating liquors. The penalty formerly contained in such paragraph, related only to violation of such provisions.

## CHANGE OF NAME

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

## EFFECTIVE DATE OF 1950 AMENDMENT

Amendment of this section as effective July 25, 1952, the date the Constitution of Puerto Rico became effective, see note under former section 732 of this title.

§ 738. Free interchange of merchandise with United States.

All merchandise and articles coming into the United States from Puerto Rico and coming into Puerto Rico from the United States shall be entered at the several ports of entry free of duty and in no event shall any tariff duties be collected on said merchandise or articles. (Apr. 12, 1900, ch. 191, § 3, 31 Stat. 77; May 17, 1932, ch. 190, 47 Stat. 158.)

## CODIFICATION

Act Apr. 12, 1900, § 3, as originally enacted, imposed tariff duties, amounting to 15 per centum of the duties on like articles imported from foreign countries, on all articles of merchandise coming into the United States from Porto Rico and vice versa. Merchandise and articles except coffee, not dutiable under United States' tariff laws, and merchandise or articles entered in Porto Rico free of duty under orders theretofore made by the Secretary of War, were to be admitted from the United States free of duty, all laws or parts of laws to the contrary, notwithstanding. However, all of the aforesaid tariff duties were to cease, and the provisions in the text were to become operative, whenever the local legislative assembly should put into operation a system of local taxation, and the President should make proclamation thereof. In no event were those duties to be collected after March 1, 1902. In accordance with the aforesaid provision President McKinley issued his proclamation July 25, 1901, 32 Stat. 1983.

Section 3 also contained provisions relating to a tax on merchandise of Porto Rican manufacture equal to the internal-revenue tax imposed in the United States, and on merchandise of United States manufacture coming into Porto Rico, a tax equal to the internal-revenue tax imposed in Porto Rico upon like articles of Porto Rican manufacture which are now set forth in sections 7652(a) (1) and 7653(a) (1) of Title 26, Internal Revenue Code, 1954.

## CHANGE OF NAME

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

## CROSS REFERENCES

Certain articles to be duty-free when imported into United States or any of its possessions, see section 1201 of Title 19, Customs Duties.

Puerto Rico empowered to impose tariff duties on coffee imported into Puerto Rico from foreign countries through United States, see sections 1319 and 1319a of Title 19, Customs Duties.

Taxation of shipments to and from the United States, see sections 7652 and 7653 of Title 26, Internal Revenue Code, 1954.

§ 739. Duties on foreign imports; books and pamphlets in English language.

The same tariffs, customs, and duties shall be levied, collected, and paid upon all articles imported into Puerto Rico from ports other than those of the United States which are required by law to be collected upon articles imported into the United States from foreign countries. All books and pamphlets printed in the English language shall be admitted into Puerto Rico free of duty when imported from the United States. (Apr. 12, 1900, ch. 191, § 2, 31 Stat. 77; Aug. 5, 1909, ch. 6, § 1, 36 Stat. 71, 74; May 17, 1932, ch. 190, 47 Stat. 158.)

## AMENDMENTS

1909—Act Aug. 5, 1909, amended section by placing coffee in the bean or ground, imported into Puerto Rico, formerly subject to a duty of 5 cents, on the duty free list.

## CHANGE OF NAME

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

## CROSS REFERENCES

Certain articles to be duty-free when imported into United States or into any of its possessions, see section 1201 of Title 19, Customs Duties.

Rates of duty for articles imported into United States or any of its possessions, see section 1001 of Title 19, Customs Duties.

### § 740. Duties and taxes to constitute fund for benefit of Puerto Rico; ports of entry.

The duties and taxes collected in Puerto Rico in pursuance of the provisions of this chapter, less the cost of collecting the same, and the gross amount of all collections of duties and taxes in the United States upon articles of merchandise coming from Puerto Rico, shall be paid into the treasury of Puerto Rico to be expended as required by law for the government and benefit thereof, and the Secretary of the Treasury shall designate the several ports and subports of entry in Puerto Rico and shall make such rules and regulations and appoint such agents as may be necessary to collect the duties and taxes authorized to be levied, collected, and paid in Puerto Rico by the provisions of this chapter, and he shall fix the compensation and provide for the payment thereof of all such officers, agents, and assistants as he may find it necessary to employ to carry out the provisions of law. (Apr. 12, 1900, ch. 191, § 4, 31 Stat. 78; May 17, 1932, ch. 190, 47 Stat. 158.)

## REFERENCES IN TEXT

In the original "this chapter" reads "this Act," meaning act Apr. 12, 1900. For distribution of that act, see note under section 733 of this title.

## CODIFICATION

Additional provisions of act Apr. 12, 1900, § 4, directing the payment of duties and taxes into a separate fund in the Treasury of the United States until the organization of a local civil government, have been omitted as obsolete.

## CHANGE OF NAME

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

## EXPENDITURES FOR GOVERNMENTAL AND PUBLIC PURPOSES

The amount of customs revenue received by the United States on importations from Puerto Rico since its evacuation by the Spanish forces together with all that should thereafter be collected under the existing law were placed at the disposal of the President to be used for governmental and public purposes in Puerto Rico, by act March 24, 1900, ch. 91, 31 Stat. 51.

## CROSS REFERENCE

All taxes collected on articles produced in Puerto Rico and transported to the United States to be covered into the treasury of Puerto Rico, see section 7652(a) (3) of Title 26, Internal Revenue Code, 1954.

### § 741. Export duties, taxes, etc.; bonds to anticipate revenues.

No export duties shall be levied or collected on exports from Puerto Rico, but taxes and assessments on property, income taxes, internal revenue, and license fees, and royalties for franchises, privileges, and concessions may be imposed for the purposes of the insular and municipal governments, respec-

tively, as may be provided and defined by the Legislature of Puerto Rico; and when necessary to anticipate taxes and revenues, bonds and other obligations may be issued by Puerto Rico or any municipal government therein as may be provided by law, and to protect the public credit. (Mar. 2, 1917, ch. 145, § 3, 39 Stat. 953; Feb. 3, 1921, ch. 34, § 2, 41 Stat. 1096; Mar. 4, 1927, ch. 503, § 1, 44 Stat. 1418; May 17, 1932, ch. 190, 47 Stat. 158; Aug. 26, 1937, ch. 831, 50 Stat. 843.)

## CODIFICATION

Section is comprised of first part of section 3 of act Mar. 2, 1917, down to the proviso clause. The remainder of section 3 is classified to sections 741a and 745 of this title.

## AMENDMENTS

1937—Act Aug. 26, 1937, reenacted section without change.

1927—Act Mar. 4, 1927, amended section to include the imposition of income taxes.

1921—Act Feb. 3, 1921, reenacted section without change.

## CHANGE OF NAME

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

## PRIOR LAW

Substantially identical provisions were contained in act Apr. 12, 1900, ch. 191, § 38, 31 Stat. 86.

### § 741a. Internal-revenue taxes; levy and collection; discrimination.

The internal-revenue taxes levied by the Legislature of Puerto Rico in pursuance of the authority granted by this chapter on articles, goods, wares, or merchandise may be levied and collected as such legislature may direct, on the articles subject to said tax, as soon as the same are manufactured, sold, used, or brought into the island: *Provided*, That no discrimination be made between the articles imported from the United States or foreign countries and similar articles produced or manufactured in Puerto Rico. The officials of the Customs and Postal Services of the United States are directed to assist the appropriate officials of the Puerto Rican government in the collection of these taxes. (Mar. 2, 1917, ch. 145, § 3, 39 Stat. 953; Mar. 4, 1927, ch. 503, § 1, 44 Stat. 1418; May 17, 1932, ch. 190, 47 Stat. 158; Aug. 26, 1937, ch. 831, 50 Stat. 843.)

## REFERENCES IN TEXT

In the original "this chapter" reads "this Act," meaning act Mar. 2, 1917. For distribution of that act, see note under section 731 of this title.

## CODIFICATION

Section is comprised of last part of section 3 of act Mar. 2, 1917, as added by act Mar. 4, 1927. The first two parts are classified to sections 741 and 745, respectively, of this title.

## AMENDMENTS

1937—Act Aug. 26, 1937, reenacted this section without change.

## CHANGE OF NAME

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

## CROSS REFERENCE

All articles of merchandise of United States manufacture coming into Puerto Rico to be entered at port of entry upon payment of tax equal in rate and amount to the internal revenue tax imposed in Puerto Rico upon like articles of Puerto Rican manufacture, see section 7653(a) (1) of Title 26, Internal Revenue Code, 1954.

**§ 742. Acknowledgment of deeds.**

Deeds and other instruments affecting land situate in the District of Columbia, or any other territory or possession of the United States, may be acknowledged in Puerto Rico before any notary public appointed therein by proper authority, or any officer therein who has ex officio the powers of a notary public. The certificate by such notary shall be accompanied by the certificate of the executive secretary of Puerto Rico to the effect that the notary taking such acknowledgment is in fact such notarial officer. (Mar. 22, 1902, ch. 273, 32 Stat. 88; Mar. 2, 1917, ch. 145, § 54, 39 Stat. 968; May 17, 1932, ch. 190, 47 Stat. 158.)

**CHANGE OF NAME**

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

**PRIOR LAW**

A provision similar to this section was made by act Mar. 22, 1902, ch. 273, 32 Stat. 88, except that that act required the certificate of the attorney general of Puerto Rico, rather than of the executive secretary of Puerto Rico as required by this section.

**§ 743. Repealed.** July 1, 1944, ch. 373, title VIII, § 813, 58 Stat. 714.

Section, acts Apr. 12, 1900, ch. 191, § 10, 31 Stat. 80; Aug. 14, 1912, ch. 288, 37 Stat. 309; May 17, 1932, ch. 190, 47 Stat. 158, provided for quarantine stations in Puerto Rico, and is now covered by section 267 of Title 42, The Public Health and Welfare.

**RENUMBERING OF REPEALING ACT**

Section 611 of act July 1, 1944, which repealed this section, was renumbered 711 by act Aug. 13, 1946, ch. 958, § 5, 60 Stat. 1049, 713 by act Feb. 28, 1948, ch. 83, § 9(b), 62 Stat. 47, and 813 by act July 30, 1956, ch. 779, § 3(b), 70 Stat. 720.

**§ 744. Coasting-trade laws.**

The coasting trade between Puerto Rico and the United States shall be regulated in accordance with the provisions of law applicable to such trade between any two great coasting districts of the United States. (Apr. 12, 1900, ch. 191, § 9, 31 Stat. 79; May 17, 1932, ch. 190, 47 Stat. 158.)

**CODIFICATION**

Additional provisions of section 9 of act Apr. 12, 1900, authorizing the making of regulations for the nationalization of all vessels owned by inhabitants of Puerto Rico on April 11, 1889, and which continued to be so owned up to the date of that nationalization and for the admission of the same to all the benefits of the coasting trade of the United States, have been executed and are obsolete.

**CHANGE OF NAME**

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

**CROSS REFERENCES**

Establishment of great districts embracing seacoasts and navigable rivers of United States and Puerto Rico, see section 293 of Title 46, Shipping.

**§ 745. Public indebtedness; computation; bonds.**

No public indebtedness of Puerto Rico and the municipalities of San Juan, Ponce, Arecibo, Río Piedras and Mayaguez shall be allowed in excess of 10 per centum of the aggregate tax valuation of its property, and no public indebtedness of any other subdivision or municipality of Puerto Rico shall after August 26, 1937, be allowed in excess of 5 per centum of the aggregate tax valuation of the property in any such subdivision or municipality, and all

bonds issued by the Government of Puerto Rico, or by its authority, shall be exempt from taxation by the Government of the United States, or by the Government of Puerto Rico or of any political or municipal subdivision thereof, or by any State, Territory, or possession, or by any county, municipality, or other municipal subdivision of any State, Territory, or possession of the United States, or by the District of Columbia. In computing the indebtedness of the people of Puerto Rico, municipal bonds for the payment of interest and principal of which the good faith of the people of Puerto Rico has prior to August 26, 1937, been pledged and bonds issued by the people of Puerto Rico secured by bonds to an equivalent amount of bonds of municipal corporations or school boards of Puerto Rico shall not be counted, but all bonds after August 26, 1937, issued by any municipality or subdivision within the 5 per centum authorized for which the good faith of the people of Puerto Rico is pledged shall be counted. (Mar. 2, 1917, ch. 145, § 3, 39 Stat. 953; Feb. 3, 1921, ch. 34, § 2, 41 Stat. 1096; Mar. 4, 1927, ch. 503, § 1, 44 Stat. 1418; May 17, 1932, ch. 190, 47 Stat. 158; Aug. 26, 1937, ch. 831, 50 Stat. 844; Aug. 17, 1950, ch. 731, 64 Stat. 458.)

**CODIFICATION**

Section is comprised of second part of section 3 of act Mar. 2, 1917, commencing with proviso clause. The first and last parts of section 3 are classified to sections 741 and 741a, respectively, of this title.

**AMENDMENTS**

1950—Act Aug. 17, 1950, amended section by making it applicable to the municipalities of Arecibo and Río Piedras.

1937—Act Aug. 26, 1937, amended section by making it applicable to the municipality of Mayaguez and by substituting wherever appearing "August 26, 1937" for "March 4, 1927".

1927—Act Mar. 4, 1927, amended section by making it applicable to the municipalities of San Juan and Ponce, by limiting the public indebtedness of other subdivisions or municipalities of Puerto Rico to 5 per centum, and by inserting in the last sentence two clauses, the first relating to the non-inclusion of municipal bonds for the payment of interest and principal, and the second commencing with "but all bonds . . . shall be counted."

1921—Act Feb. 3, 1921, amended section to increase the allowable public indebtedness from 7 to 10 per centum of the aggregate tax valuation of property.

**CHANGE OF NAME**

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

**PRIOR LAW**

Act Apr. 12, 1900, ch. 191, § 38, 31 Stat. 86, provided that no public indebtedness of Puerto Rico or of any municipality thereof shall be authorized or allowed in excess of seven per centum of the aggregate tax valuation of its property.

**§ 745a. Public improvement bonds sold to United States or agency thereof excluded from public indebtedness.**

Bonds or other obligations of Puerto Rico or any municipal government therein, payable solely from revenues derived from any public improvement or undertaking (which revenues may include transfers by agreement or otherwise from the regular funds of the issuer in respect of the use by it of the facilities afforded by such improvement or undertaking), and issued and sold to the United States of America or any agency or instrumentality thereof, shall not

be considered public indebtedness of the issuer within the meaning of section 745 of this title. (Aug. 13, 1935, ch. 516, 49 Stat. 611.)

§ 745b. Refunding bonds excluded temporarily in computing indebtedness.

Any bonds or other obligations of Puerto Rico hereafter issued for the purpose of retiring previously outstanding bonds or obligations shall not be included in computing the public indebtedness of Puerto Rico under section 745 of this title, until six months after their issue. (Aug. 3, 1935, ch. 435, 49 Stat. 516.)

§ 746. Public lands and buildings; reservations; rights prior to July 1, 1902.

All public lands and buildings, not including harbor areas and navigable streams and bodies of water and the submerged lands underlying the same, owned by the United States in the island of Puerto Rico and not reserved by the President of the United States prior to July 1, 1903, pursuant to authority vested in him by law, are granted to the government of Puerto Rico, to be held or disposed of for the use and benefit of the people of said island. Said grant is upon the express condition that the government of Puerto Rico, by proper authority, release to the United States any interest or claim it may have in or upon the lands or buildings reserved by the President as mentioned herein. Nothing herein contained shall be so construed as to affect any legal or equitable rights acquired by the government of Puerto Rico or by any other party, under any contract, lease, or license made by the United States authorities prior to the 1st day of May 1900. (July 1, 1902, ch. 1383, § 1, 32 Stat. 731; May 17, 1932, ch. 190, 47 Stat. 158.)

#### CHANGE OF NAME

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

#### LAW LIBRARY

Section 2 of act July 1, 1902, made an appropriation for the purchase of a law library for the use of the United States District Court for Puerto Rico.

#### EXPENSES AND TERM OF RESIDENT COMMISSIONER

Section 3 of act July 1, 1902, related to allowance of traveling expenses in addition to salary to the resident commissioner from Puerto Rico, and to the commencement of his term.

§ 747. Public property transferred.

All property which may have been acquired in Puerto Rico by the United States under the cession of Spain in the treaty of peace entered into on the 10th day of December 1898, in any public bridges, road houses, water powers, highways, unnavigable streams and the beds thereof, subterranean waters, mines or minerals under the surface of private lands, all property which at the time of the cession belonged, under the laws of Spain then in force, to the various harbor works boards of Puerto Rico, all the harbor shores, docks, slips, reclaimed lands, and all public lands and buildings not reserved by the United States for public purposes prior to March 2, 1917, is placed under the control of the government of Puerto Rico, to be administered for the benefit of the people of Puerto Rico; and the Legislature of Puerto Rico shall have authority, subject to the

limitations imposed upon all its acts, to legislate with respect to all matters, as it may deem advisable. (Mar. 2, 1917, ch. 145, § 7, 39 Stat. 954; May 17, 1932, ch. 190, 47 Stat. 158.)

#### CODIFICATION

Section is comprised of that part of section 7 of act Mar. 2, 1917, preceding the proviso clause. The remainder of section 7 is classified to section 748 of this title.

#### CHANGE OF NAME

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

#### PRIOR LAW

Substantially identical provisions were contained in act Apr. 12, 1900, ch. 191, § 13, 31 Stat. 80.

§ 748. Conveyance by President to people of lands, buildings, etc.

The President may, from time to time, in his discretion, convey to the people of Puerto Rico, such lands, buildings, or interests in lands, or other property now owned by the United States, and within the territorial limits of Puerto Rico as in his opinion are no longer needed for purposes of the United States. And he may from time to time accept by legislative grant from Puerto Rico any lands, buildings, or other interests or property which may be needed for public purposes by the United States. (Mar. 2, 1917, ch. 145, § 7, 39 Stat. 954; May 17, 1932, ch. 190, 47 Stat. 158.)

#### CODIFICATION

Section is comprised of proviso clause of section 7 of act Mar. 2, 1917. The text preceding the proviso clause of section 7 is classified to section 747 of this title.

#### CHANGE OF NAME

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

#### DELEGATION OF FUNCTIONS

For delegation to the Secretary of the Interior of authority vested in the President by this section, see Ex. Ord. No. 10250, June 5, 1951, 16 F. R. 5385, set out as a note under section 301 of Title 3, The President.

§ 749. Harbors and navigable waters transferred.

The harbor areas and navigable streams and bodies of water and submerged lands underlying the same in and around the island of Puerto Rico and the adjacent islands and waters, owned by the United States on March 2, 1917, and not reserved by the United States for public purposes, are placed under the control of the government of Puerto Rico, to be administered in the same manner and subject to the same limitations as the property enumerated in sections 747 and 748 of this title. All laws of the United States for the protection and improvement of the navigable waters of the United States and the preservation of the interests of navigation and commerce, except so far as the same may be locally inapplicable, shall apply to said island and waters and to its adjacent islands and waters. Nothing in this chapter contained shall be construed so as to affect or impair in any manner the terms or conditions of any authorizations, permits, or other powers lawfully granted or exercised in or in respect of said waters and submerged lands in and surrounding said island and its adjacent islands by the Secretary of War or other authorized officer or agent of the United States prior to March 2, 1917. (Mar. 2, 1917, ch. 145, § 8, 39 Stat. 954; May 17, 1932, ch. 190, 47 Stat. 158.)

## REFERENCE IN TEXT

In the original "this chapter" reads "this Act", meaning act Mar. 2, 1917. For distribution of that act, see note under section 731 of this title.

## CODIFICATION

A further provision of section 8 of act Mar. 2, 1917, repealing act June 11, 1906, ch. 3075, 34 Stat. 234, and all other laws or parts of laws in conflict herewith was omitted as executed.

## CHANGE OF NAME

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

## CROSS REFERENCES

Protection of navigable waters and of harbor and river improvements generally, see chapter 9 of Title 33, Navigation and Navigable Waters.

§ 750. Repealed. July 3, 1950, ch. 446, § 5 (2), 64 Stat. 320, eff. July 25, 1952.

Section, acts Mar. 2, 1917, ch. 145, § 38, 39 Stat. 964; Mar. 4, 1927, ch. 503, § 6, 44 Stat. 1420; June 24, 1948, ch. 610, § 7, 62 Stat. 580, which derived from act Apr. 12, 1900, ch. 191, § 32, 31 Stat. 83; Joint Res. May 1, 1900, No. 23, § 2, 31 Stat. 716, related to grants of franchises, public service commission, etc. Subject matter is now covered by Art. VI, § 13 of the Constitution of the Commonwealth of Puerto Rico, set out as a note under section 731d of this title.

## EFFECTIVE DATE OF REPEAL

For explanation of the date of July 25, 1952, as being the effective date of that repeal, see note under former section 732 of this title.

§ 751. Interstate commerce and certain other laws inapplicable to Puerto Rico.

The Interstate Commerce Act and the several amendments made or to be made thereto, the Safety Appliance Acts and the several amendments made or to be made thereto, and section 19a of Title 49, shall not apply to Puerto Rico. (Mar. 2, 1917, ch. 145, § 38, 39 Stat. 964; Mar. 4, 1927, ch. 503, § 6, 44 Stat. 1420; May 17, 1932, ch. 190, 47 Stat. 158.)

## REFERENCES IN TEXT

The Interstate Commerce Act, referred to in the text, is classified to chapters 1, 8, 12, 13, and 19 of Title 49, Transportation.

The Safety Appliance Acts, referred to in the text, are classified to chapter 1 of Title 45, Railroads.

## CODIFICATION

Section is comprised of second paragraph of section 38 of act Mar. 2, 1917. The first and third paragraphs of section 38 were classified to sections 750 and 753, respectively, of this title.

## AMENDMENTS

1927—Act Mar. 4, 1927, reenacted section without change.

## CHANGE OF NAME

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

§ 752. Corporate real-estate holdings.

No corporation shall be authorized to conduct the business of buying and selling real estate or be permitted to hold or own real estate except such as may be reasonably necessary to enable it to carry out the purposes for which it was created, and every corporation hereafter authorized to engage in agriculture shall by its charter be restricted to the ownership and control of not to exceed five hundred acres of land; and this provision shall be held to prevent any member of a corporation engaged in agriculture from being in any wise interested in any other corporation

engaged in agriculture. Corporations, however, may loan funds upon real estate security, and purchase real estate when necessary for the collection of loans, but they shall dispose of real estate so obtained within five years after receiving the title. Corporations not organized in Puerto Rico, and doing business therein, shall be bound by the provisions of this section so far as they are applicable. (May 1, 1900, No. 23, § 3, 31 Stat. 716; May 17, 1932, ch. 190, 47 Stat. 158; July 3, 1950, ch. 446, § 5 (2), 64 Stat. 320.)

## CHANGE OF NAME

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

## REPEALS

Section 5 (2) of act July 3, 1950, repealed act Mar. 2, 1917, ch. 145, § 39, 39 Stat. 964, eff. July 25, 1952, the date the constitution of Puerto Rico became effective.

## EFFECTIVE DATE OF REPEAL

For explanation of the date of July 25, 1952, as being the effective date of that repeal, see note under former section 732 of this title.

§§ 753, 754. Repealed. July 3, 1950, ch. 446, § 5 (2, 4), 64 Stat. 320, eff. July 25, 1952.

Section 753, acts Mar. 2, 1917, ch. 145, § 38, 39 Stat. 964; Mar. 4, 1927, ch. 503, § 6, 44 Stat. 1420; May 17, 1932, ch. 190, 47 Stat. 158, authorized the Legislature to regulate rates, tariffs, etc., of public carriers and the public service commission to enforce those laws.

Section 754, act Mar. 2, 1917, ch. 145, § 35, 39 Stat. 963; May 17, 1932, ch. 190, 47 Stat. 158, which had been transferred to former section 814a of this title, related to qualifications of electors. Subject matter is now covered by Art. VI, § 4, of the Constitution of the Commonwealth of Puerto Rico, set out as a note under section 731d of this title.

## EFFECTIVE DATE OF REPEAL

For explanation of the date of July 25, 1952, as being the effective date of that repeal, see note under former section 732 of this title.

§ 755. Coins; redemption; exchange; recoinage; legal tender.

## CODIFICATION

Section, act Apr. 12, 1900, ch. 191, § 11, 31 Stat. 80, provided for redemption by Secretary of Treasury of Puerto Rican silver coins known as the peso and all other Puerto Rican silver and coppers in circulation on April 12, 1900, except those imported after February 1, 1900, at rate of 60 cents per peso and for recoinage of such coins into United States coins, and made United States coins sole legal tender in payment of debts, except those owing prior to April 12, 1900, which were payable in Puerto Rico coins or their exchanged equivalents.

## THE EXECUTIVE AND GOVERNMENT OFFICIALS

§§ 771—793. Repealed. July 3, 1950, ch. 446, § 5 (2), 64 Stat. 320, eff. July 25, 1952.

Section 771, acts Mar. 2, 1917, ch. 145, § 12, 39 Stat. 950; May 17, 1932, ch. 190, 47 Stat. 158; Aug. 5, 1947, ch. 490, § 1, 61 Stat. 770, which derived from act Apr. 12, 1900, ch. 191, § 7, related to the election, tenure of office and qualifications of the governor.

Section 771a, act Mar. 2, 1917, ch. 145, § 12a, as added Aug. 5, 1947, ch. 490, § 2, 61 Stat. 771, related to the impeachment of the governor.

Section 772, acts Mar. 2, 1917, ch. 145, § 24, 39 Stat. 958; Aug. 5, 1947, ch. 490, § 4, 61 Stat. 771, which derived from act Apr. 12, 1900, ch. 191, § 20, 31 Stat. 81, related to succession to office of governor.

Section 773, acts Mar. 2, 1917, ch. 145, § 13, 39 Stat. 955; Feb. 18, 1931, ch. 218, § 1, 46 Stat. 1168, which derived from act Apr. 12, 1900, ch. 191, §§ 18—26, 31 Stat. 81, 82, related to executive departments.



Section 774, act Mar. 2, 1917, ch. 145, § 37, 39 Stat. 964, prohibited the Legislature from creating new departments but authorized their consolidation or abolition.

Section 775, acts Mar. 2, 1917, ch. 145, § 13, 39 Stat. 955; Feb. 18, 1931, ch. 218, § 1, 46 Stat. 1168; May 17, 1932, ch. 190, 47 Stat. 158; Aug. 5, 1947, ch. 490, § 3, 61 Stat. 771, related to appointment and tenure of office of heads of departments.

Section 776, acts Mar. 2, 1917, ch. 145, § 13, 39 Stat. 956; Feb. 18, 1931, ch. 218, § 1, 46 Stat. 1168; May 17, 1932, ch. 190, 47 Stat. 158, related to residence requirement for heads of departments.

Section 777, acts Mar. 2, 1917, ch. 145, § 13, 39 Stat. 956; Feb. 18, 1931, ch. 218, § 1, 46 Stat. 1168, which derived from act Apr. 12, 1900, ch. 191, § 21, 31 Stat. 82, related to the executive council, its duties and compensation.

Section 778, acts Mar. 2, 1917, ch. 145, § 14, 39 Stat. 956; May 17, 1932, ch. 190, 47 Stat. 158, which derived from act Apr. 12, 1900, ch. 191, § 21, 31 Stat. 82, related to the duties of the Attorney General.

Section 779, acts Mar. 2, 1917, ch. 145, § 22, 39 Stat. 958; June 27, 1924, ch. 322, § 2, 43 Stat. 631; May 17, 1932, ch. 190, 47 Stat. 158; June 24, 1948, ch. 610, § 6, 62 Stat. 580, which derived from act Apr. 12, 1900, ch. 191, § 18, 19, related to the powers and duties of the executive secretary.

Section 780, act Mar. 2, 1917, ch. 145, § 15, 39 Stat. 956; May 17, 1932, ch. 190, 47 Stat. 158, which derived from act Apr. 12, 1900, ch. 191, § 22, 31 Stat. 82, related to the powers and duties of the Treasurer, including the designation of depositaries.

Section 781, acts Mar. 2, 1917, ch. 145, § 15, 39 Stat. 956; May 17, 1932, ch. 190, 47 Stat. 158, which derived from act Apr. 12, 1900, ch. 191, § 22, 31 Stat. 82, required the Treasurer to give a bond not less than \$125,000.

Section 782, act Mar. 2, 1917, ch. 145, § 16, 39 Stat. 956, which derived from act Apr. 12, 1900, ch. 191, § 24, 31 Stat. 82, related to the duties of the Commissioner of the Interior.

Section 783, acts Mar. 2, 1917, ch. 145, § 17, 39 Stat. 956; May 17, 1932, ch. 190, 47 Stat. 158, which derived from act Apr. 12, 1900, ch. 191, § 25, 31 Stat. 82, related to the duties of the Commissioner of Education.

Section 784, acts Mar. 2, 1917, ch. 145, § 18, 39 Stat. 957; Feb. 18, 1931, ch. 218, § 2, 46 Stat. 1168; May 17, 1932, ch. 190, 47 Stat. 158, related to the duties of the Commissioner of Agriculture and Commerce.

Section 784a, act Mar. 2, 1917, ch. 145, § 18, as added Feb. 18, 1931, ch. 218, § 3, 46 Stat. 1169, and amended May 17, 1932, ch. 190, 47 Stat. 158, related to the duties of the Commissioner of Labor.

Section 785, act Mar. 2, 1917, ch. 145, § 19, 39 Stat. 957, related to the duties of the Commissioner of Health.

Section 786, acts Mar. 2, 1917, ch. 145, § 20, 39 Stat. 957; June 7, 1924, ch. 322, § 1, 43 Stat. 631; Mar. 4, 1927, ch. 503, § 3, 44 Stat. 1419; May 17, 1932, ch. 190, 47 Stat. 158; June 24, 1948, ch. 610, § 5, 62 Stat. 580, which derived from act Apr. 12, 1900, ch. 191, § 23, 31 Stat. 82, related to the appointment, compensation and term of office of the Auditor and his powers and duties, and provided for an assistant auditor and other necessary assistants and employees.

Section 787, acts Mar. 2, 1917, ch. 145, § 20, 39 Stat. 957; Mar. 4, 1927, ch. 503, § 3, 44 Stat. 1419, which derived from act Apr. 12, 1900, ch. 191, § 23, 31 Stat. 82, related to the jurisdiction of the Auditor over accounts.

Section 788, acts Mar. 2, 1917, ch. 145, § 20, 39 Stat. 957; June 10, 1921, ch. 18, §§ 301, 304, 42 Stat. 23—25; Mar. 4, 1927, ch. 503, § 3, 44 Stat. 1419, which derived from act Apr. 12, 1900, ch. 191, § 23, 31 Stat. 82, related to the finality of the decisions of the Auditor and time for appeal therefrom, and vested such official with like authority as that conferred by the law upon the Comptroller General of the United States, with certain exceptions.

Section 789, act Mar. 2, 1917, ch. 145, § 21, 39 Stat. 958, related to appeals from the decisions of the Auditor to the Governor.

Section 790, acts Mar. 2, 1917, ch. 145, § 20, 39 Stat. 957; Mar. 4, 1927, ch. 503, § 3, 44 Stat. 1420, which derived from act Apr. 12, 1900, ch. 191, § 23, 31 Stat. 82, related to the annual report of the fiscal concern of the gov-

ernment from the Auditor to the Governor and those other reports as may be required.

Section 791, act Mar. 2, 1917, ch. 145, § 20, 39 Stat. 957; Mar. 4, 1927, ch. 503, § 3, 44 Stat. 1419, authorized the Auditor to summon witnesses, administer oaths, take evidence, etc.

Section 792, act Mar. 2, 1917, ch. 145, § 20, 39 Stat. 957; Mar. 4, 1927, ch. 503, § 3, 44 Stat. 1420, related to the supervision of the office of the Auditor by the Governor.

Section 793, acts Mar. 2, 1917, ch. 145, § 20, 39 Stat. 957; Mar. 4, 1927, ch. 503, § 3, 44 Stat. 1419; May 17, 1932, ch. 190, 47 Stat. 158, related to the performance of the powers and duties of the Auditor in case of a vacancy in the office or in his absence by the assistant auditor, or in the absence of that assistant, by an assistant designated by the Governor.

The subject matter of former sections 771—793 of this title is now covered by the Constitution of the Commonwealth of Puerto Rico, set out as a note under section 781d of this title.

#### EFFECTIVE DATE OF REPEAL

For explanation of the date of July 25, 1952, as being the effective date of that repeal, see note under former section 732 of this title.

**§ 793a. Repealed. June 30, 1954, ch. 428, § 1, 68 Stat. 336.**

Section, act Mar. 2, 1934, ch. 37, § 4, 48 Stat. 361, created a Model Housing Board, and provided for the construction and sale of model houses and for the creation of a revolving "model housing fund".

#### DISPOSITION OF MONEYS IN REVOLVING FUND

Section 2 of act June 30, 1954 (section 1 of which repealed this section), provided: "Any moneys remaining in the revolving fund established by subsection (d) of section 4 of Act of March 2, 1934 [subsec. (d) of this former section], shall be covered into the treasury of the Commonwealth of Puerto Rico."

**§ 793b. Repealed. July 3, 1950, ch. 446, § 5 (2), 64 Stat. 320, eff. July 25, 1952.**

Section, act Mar. 2, 1917, ch. 145, § 49b, as added Aug. 5, 1947, ch. 490, § 6, 61 Stat. 772, and amended June 24, 1948, ch. 610, § 1, 62 Stat. 579, provided for a Coordinator of Federal Agencies in Puerto Rico, his appointment, compensation and duties, and required President to prescribe rules and regulations to carry out the provisions of former section 793 of this title.

#### EFFECTIVE DATE OF REPEAL

For explanation of the date of July 25, 1952, as being the effective date of that repeal, see note under former section 732 of this title.

**§ 794. Official reports.**

All reports required by law to be made by the governor or heads of departments to any official of the United States shall be made to an executive department of the Government of the United States to be designated by the President, and the President is authorized to place all matters pertaining to the government of Puerto Rico in the jurisdiction of such department. (Mar. 2, 1917, ch. 145, § 11, 39 Stat. 955; May 17, 1932, ch. 190, 47 Stat. 158.)

#### CHANGE OF NAME

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

#### PRIOR LAW

Identical provisions were contained in act July 15, 1909, ch. 4, § 2, 36 Stat. 11.

**EX. ORD. NO. 9383. COORDINATION OF FUNCTIONS AND POLICIES OF FEDERAL CIVIL AGENCIES IN PUERTO RICO AND THE VIRGIN ISLANDS**

Ex. Ord. No. 9383, Oct. 5, 1943, 8 F.R. 13781, provided:  
1. Each Federal civil agency performing services in Puerto Rico or in the Virgin Islands shall make current

reports to the Secretary of the Interior concerning the work of such agency in such manner and form and at such times as may be prescribed by the Secretary of the Interior.

2. The Secretary of the Interior shall make such recommendations to the heads of Federal civil agencies so reporting as may in his judgment serve to correlate the work of such agencies in Puerto Rico and in the Virgin Islands, eliminate unessential Federal activities, assist insular agencies to assume increasing responsibility in civil administration, meet more efficiently the needs of the people of Puerto Rico and the Virgin Islands for essential Federal services, and implement the policies of the United States with respect to its island possessions.

3. The Secretary of the Interior shall from time to time report to the President and to the Congress concerning the actions taken pursuant to this order.

4. This order shall not be applicable to United States District Judges, United States Attorneys, and United States Marshals.

#### § 795. Government expenses payable out of revenues.

All expenses that may be incurred on account of the government of Puerto Rico for salaries of officials and the conduct of their offices and departments, and all expenses and obligations contracted for the internal improvement or development of the island, not, however, including defenses, barracks, harbors, lighthouses, buoys, and other works undertaken by the United States, shall, except as otherwise specifically provided by the Congress, be paid by the treasurer of Puerto Rico out of the revenue in his custody. (Mar. 2, 1917, ch. 145, § 6, 39 Stat. 953; May 17, 1932, ch. 190, 47 Stat. 158.)

#### CHANGE OF NAME

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

#### PRIOR LAW

Substantially identical provisions were contained in act Apr. 12, 1900, ch. 191, § 12, 31 Stat. 80, with the exception of the words "except as otherwise specifically provided by the Congress."

#### §§ 796—799. Repealed. July 3, 1950, ch. 446, § 5 (2), 64 Stat. 320, eff. July 25, 1952.

Section 796, acts Mar. 2, 1917, ch. 145, § 53, 39 Stat. 968; May 17, 1932, ch. 190, 47 Stat. 158, related to transfer of bureaus or offices.

Section 797, acts Mar. 2, 1917, ch. 145, § 50, 39 Stat. 967; June 7, 1924, ch. 322, § 3, 43 Stat. 631; May 29, 1928, ch. 904, §§ 1, 2, 45 Stat. 997; May 17, 1932, ch. 190, 47 Stat. 158; Aug. 5, 1947, ch. 490, § 5, 61 Stat. 771; June 24, 1948, ch. 610, § 2, 62 Stat. 579; Sept. 7, 1949, ch. 544, 63 Stat. 692, which derived from acts Apr. 12, 1900, ch. 191, § 36, 31 Stat. 85; Mar. 2, 1901, ch. 812, § 1, 31 Stat. 953, related to salaries and bonds of officials, and residence of governor.

Section 798, acts Mar. 2, 1917, ch. 145, § 50, 39 Stat. 967; June 7, 1924, ch. 322, § 3, 43 Stat. 631; June 24, 1948, ch. 610, § 2, 62 Stat. 579; Sept. 7, 1949, ch. 544, 63 Stat. 692, which derived from acts Apr. 12, 1900, ch. 191, § 36, 31 Stat. 85; Mar. 2, 1901, ch. 812, § 1, 31 Stat. 953, related to payment of salaries, office expenses and bond premiums.

Section 799, act Mar. 2, 1917, ch. 145, § 51, 39 Stat. 967, which derived from act Apr. 12, 1900, ch. 191, § 37, 31 Stat. 85, provided for payment of municipal expenses from municipal revenues.

The subject matter of former sections of this title is now covered by Art. III, § 16, and Art. IV, § 2, 4 of the Constitution of the Commonwealth of Puerto Rico, set out as a note under section 731d of this title.

#### EFFECTIVE DATE OF REPEAL

For explanation of the date of July 25, 1952, as being the effective date of that repeal, see note under former section 732 of this title.

### THE LEGISLATURE

#### §§ 811—820. Repealed. July 3, 1950, ch. 446, § 5 (2), 64 Stat. 320, eff. July 25, 1952.

Section 811, acts Mar. 2, 1917, ch. 145, § 25, 39 Stat. 958; act May 17, 1932, ch. 190, 47 Stat. 158, vested all local legislative powers in Puerto Rico, with certain exceptions, in the "Legislature of Puerto Rico", consisting of a "senate" and a "house of representatives".

Section 812, acts Mar. 2, 1917, ch. 145, § 26, 39 Stat. 958; May 17, 1932, ch. 190, 47 Stat. 158, related to the Senate of Puerto Rico, its members, election and powers.

Section 813, acts Mar. 2, 1917, ch. 145, § 27, 39 Stat. 959; May 17, 1932, ch. 190, 47 Stat. 158, which derived from act Apr. 12, 1900, ch. 191, §§ 27, 32, 31 Stat. 82, related to the House of Representatives, its members and their election.

Section 814, acts Mar. 2, 1917, ch. 145, § 28, 39 Stat. 959; May 17, 1932, ch. 190, 47 Stat. 158, which derived from act Apr. 12, 1900, ch. 191, § 28, 31 Stat. 82, provided for the division of Puerto Rico into thirty-five representative and seven senatorial districts.

Section 814a, acts Mar. 2, 1917, ch. 145, § 35, 39 Stat. 963; May 17, 1932, ch. 190, 47 Stat. 158, related to the qualification of electors.

Section 815, acts Mar. 2, 1917, ch. 145, § 29, 39 Stat. 959; May 17, 1932, ch. 190, 47 Stat. 158, provided for the time of holding elections and the revision of boundaries of senatorial and representative districts and municipalities.

Section 816, act Mar. 2, 1917, ch. 145, § 32, 39 Stat. 960, which derived from act Apr. 12, 1900, ch. 191, § 30, 31 Stat. 83, related to the powers of the senate and house of representatives, including the determination of election and qualifications of members.

Section 817, act Mar. 2, 1917, ch. 145, § 33, 39 Stat. 960; Mar. 4, 1927, ch. 503, § 5, 44 Stat. 1420, provided for the holding of annual sessions of the legislature and the time for convening.

Section 818, acts Mar. 2, 1917, ch. 145, § 33, 39 Stat. 960; Mar. 4, 1927, ch. 503, § 5, 44 Stat. 1420, authorized the governor to call special sessions of legislature or senate.

Section 819, acts Mar. 2, 1917, ch. 145, § 30, 39 Stat. 959; May 17, 1932, ch. 190, 47 Stat. 158; June 1, 1938, ch. 308, 52 Stat. 595, related to the term of office of senators and representatives, the filling of vacancies, and limitations upon appointment to other offices of those legislative members.

Section 820, acts Mar. 2, 1917, ch. 145, § 31, 39 Stat. 960; Mar. 4, 1927, ch. 503, § 4, 44 Stat. 1420; May 17, 1932, ch. 190, 47 Stat. 158; June 24, 1948, ch. 610, § 4, 62 Stat. 580, related to the compensation and mileage of members of the senate and house of representatives.

The subject matter of former sections 811—820 of this title is now covered by Arts. III and IV of the Constitution of the Commonwealth of Puerto Rico, set out as a note under section 731d of this title.

#### EFFECTIVE DATE OF REPEAL

For explanation of the date of July 25, 1952, as being the effective date of that repeal, see note under former section 732 of this title.

#### § 821. Legislative power.

The legislative authority shall extend to all matters of a legislative character not locally inapplicable, including power to create, consolidate, and reorganize the municipalities so far as may be necessary, and to provide and repeal laws and ordinances therefor; also the power to alter, amend, modify, or repeal any or all laws and ordinances of every character in force in Puerto Rico or municipality or district thereof on March 2, 1917, insofar as such alteration, amendment, modification, or repeal may be consistent with the provisions of this chapter. (Mar. 2, 1917, ch. 145, § 37, 39 Stat. 964; May 17, 1932, ch. 190, 47 Stat. 158.)

## REFERENCES IN TEXT

In the original "this chapter" reads "this Act," meaning act Mar. 2, 1917. For distribution of that act, see note under section 731 of this title.

## CHANGE OF NAME

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

**§§ 822, 823. Repealed.** July 3, 1950, ch. 446, § 5 (2), 64 Stat. 320, eff. July 25, 1952.

Section 822, act Mar. 2, 1917, ch. 145, § 34, 39 Stat. 960, related to origin of bills and resolutions.

Section 823, acts Mar. 2, 1917, ch. 145, § 34, 39 Stat. 960; May 17, 1932, ch. 190, 47 Stat. 158, related to enacting clauses of bills and resolutions.

The subject matter of former sections 822, 823 of this title is now covered by Art. III, § 17, 18 of the Constitution of the Commonwealth of Puerto Rico, set out as a note under section 731d of this title.

## EFFECTIVE DATE OF REPEAL

For explanation of the date of July 25, 1952, as being the effective date of that repeal, see note under former section 732 of this title.

**§ 823a. Congressional ratification, approval, and confirmation of all joint resolutions.**

## CODIFICATION

Section, act June 16, 1938, ch. 460, 52 Stat. 708, was omitted as executed.

**§§ 824—844. Repealed.** July 3, 1950, ch. 446, § 5 (2), 64 Stat. 320, eff. July 25, 1952.

Section 824, act Mar. 2, 1917, ch. 145, § 34, 39 Stat. 961, related to the passage of bills and their alterations or amendments.

Section 825, act Mar. 2, 1917, ch. 145, § 34, 39 Stat. 960, related to the reference of bills to committees, signature by governor, and approval by President.

Section 826, acts Mar. 2, 1917, ch. 145, § 34, 39 Stat. 961; May 29, 1928, ch. 901, § 1 (128), 45 Stat. 996; Feb. 28, 1929, ch. 364, §§ 1, 2, 45 Stat. 1348; May 17, 1932, ch. 190, 47 Stat. 158, required laws enacted by Legislature of Puerto Rico to be reported to Congress.

Section 827, act Mar. 2, 1917, ch. 145, § 34, 39 Stat. 961, related to the time of taking effect of laws and to the introduction of a bill.

Section 823, act Mar. 2, 1917, ch. 145, § 34, 39 Stat. 961, related to house journals.

Section 829, act Mar. 2, 1917, ch. 145, § 34, 39 Stat. 961, required sessions of each house and committees to be open.

Section 830, act Mar. 2, 1917, ch. 145, § 34, 39 Stat. 961, related to adjournment.

Section 831, act Mar. 2, 1917, ch. 145, § 34, 39 Stat. 962, required presiding officer to sign bills and resolutions.

Section 832, act Mar. 2, 1917, ch. 145, § 34, 39 Stat. 962, provided that bills, with the exception of appropriation bills, were to contain one subject.

Section 833, act Mar. 2, 1917, ch. 145, § 34, 39 Stat. 962, provided that revenue bills were to originate in house of representatives.

Section 834, act Mar. 2, 1917, ch. 145, § 34, 39 Stat. 962, related to appropriation bills for executive, legislative and judicial departments.

Section 835, act Mar. 2, 1917, ch. 145, § 34, 39 Stat. 962, related to revival or amendment of laws.

Section 836, act Mar. 2, 1917, ch. 145, § 34, 39 Stat. 962, required the legislature to prescribe number, duties and compensation of officers and employees.

Section 637, act Mar. 2, 1917, ch. 145, § 34, 39 Stat. 962, prohibited bills giving extra compensation for services rendered.

Section 838, acts Mar. 2, 1917, ch. 145, § 34, 39 Stat. 962; June 24, 1948, ch. 610, § 3, 62 Stat. 580 prohibited laws relating to extension of term of office of officials, double jobs and salary of senators or representatives during term of office.

Section 839, act Mar. 2, 1917, ch. 145, § 34, 39 Stat. 962, related to the presentation of orders, resolutions, etc., to the Governor.

Section 840, act Mar. 2, 1917, ch. 145, § 34, 39 Stat. 960, required the Governor to submit a financial budget at opening of each regular session of the legislature.

Section 841, acts Mar. 2, 1917, ch. 145, § 34, 39 Stat. 962; May 17, 1932, ch. 190, 47 Stat. 158, provided for the order of payment of appropriations, where revenue insufficient to meet appropriations, and limited appropriations under certain conditions.

Section 842, acts Mar. 2, 1917, ch. 145, § 23, 39 Stat. 958; May 17, 1932, ch. 190, 47 Stat. 158, required the Governor to transmit copies of laws to executive department of United States.

Section 843, acts Mar. 2, 1917, ch. 145, § 34, 39 Stat. 962; May 17, 1932, ch. 190, 47 Stat. 158, related to the definition and punishment of the offense of corrupt solicitation.

Section 844, act Mar. 2, 1917, ch. 145, § 34, 39 Stat. 962, related to punishment for offense of influencing officials by bribery.

The subject matter of former sections 824—844 of this title is now covered by Arts. III, IV, and VI of the Constitution of the Commonwealth of Puerto Rico, set out as a note under section 731d of this title.

## EFFECTIVE DATE OF REPEAL

For explanation of the date of July 25, 1952, as being the effective date of that repeal, see note under former section 732 of this title.

**§ 845. Income tax laws; modification or repeal by legislature.**

The Puerto Rican Legislature shall have power by due enactment to amend, alter, modify, or repeal the income tax laws in force in Puerto Rico. (Feb. 26, 1926, ch. 27, §§ 261, 1200, 44 Stat. 52, 125; May 17, 1932, ch. 190, 47 Stat. 158.)

## CODIFICATION

Similar provision of act Feb. 26, 1926, which related to the Philippine Islands, was formerly classified to section 1055 of this title.

## CHANGE OF NAME

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

## PRIOR LAW

Identical provisions were contained in act June 2, 1924, ch. 234, § 261, 43 Stat. 294, which was repealed by section 1200 of act Feb. 26, 1926, to take effect Jan. 1, 1925.

## THE JUDICIARY

**§ 861. Repealed.** July 3, 1950, ch. 446, § 5 (2), 64 Stat. 320, eff. July 25, 1952.

Section, acts Mar. 2, 1917, ch. 145, § 40, 39 Stat. 965; May 17, 1932, ch. 190, 47 Stat. 158, which derived from act Apr. 12, 1900, ch. 191, § 33, 31 Stat. 84, vested judicial power in courts established and in operation on Mar. 2, 1917, provided for appointment of chief justice and associate justices of the supreme court by President with advice and consent of United States Senate, and authorized Puerto Rican legislature to organize, modify or rearrange the courts and their jurisdiction and procedure, except United States District Court. Subject matter is now covered by Article V of the Constitution of the Commonwealth of Puerto Rico, set out as a note under section 731d of this title.

## EFFECTIVE DATE OF REPEAL

For explanation of the date of July 25, 1952, as being the effective date of that repeal, see note under former section 732 of this title.

**§ 862. Jurisdiction of offenses under National Prohibition Act.**

## CODIFICATION

Section, act Sept. 21, 1922, ch. 365, 42 Stat. 993, conferred on the courts of Puerto Rico jurisdiction of offenses under act Oct. 28, 1919, ch. 85, 41 Stat. 305, the National Prohibition Act. Titles I and II of that act were repealed by act Aug. 27, 1935, ch. 740, § 1, 49 Stat. 872. The remainder of that act constituted sections

63, 71—89 of Title 27, Intoxicating Liquors. Section 63 was repealed by act June 19, 1934, ch. 657, § 3, 48 Stat. 1116, and sections 71—89 have been incorporated into the Internal Revenue Code, 1954. See note under section 734a of this title.

**§ 863. District court; additional jurisdiction; payment of salaries and expenses; vacancies.**

The United States District Court for the District of Puerto Rico shall, in addition to its other jurisdiction, have jurisdiction for the naturalization of aliens and Puerto Ricans, and, for this purpose, residence in Puerto Rico shall be counted in the same manner as residence elsewhere in the United States. Said district court shall have jurisdiction of all controversies where all of the parties on either side of the controversy are citizens or subjects of a foreign State or States, or citizens of a State, Territory, or District of the United States not domiciled in Puerto Rico, wherein the matter in dispute exceeds, exclusive of interest or cost, the sum or value of \$3,000, and of all controversies in which there is a separable controversy involving such jurisdictional amount and in which all of the parties on either side of such separable controversy are citizens or subjects of the character aforesaid. The salaries of the judge and officials of the United States District Court for the District of Puerto Rico, together with the court expenses, shall be paid from the United States revenues in the same manner as in other United States district courts. In case of vacancy or of the death, absence, or other legal disability on the part of the judge of the said United States District Court for the District of Puerto Rico, the President of the United States is authorized to designate one of the judges of the Supreme Court of Puerto Rico to discharge the duties of judge of said court until such absence or disability shall be removed, and thereupon such judge so designated for said service shall be fully authorized and empowered to perform the duties of said office during such absence or disability of such regular judge, and to sign all necessary papers and records as the acting judge of said court without extra compensation. (Mar. 2, 1917, ch. 145, § 41, 39 Stat. 965; Feb. 25, 1919, ch. 29, § 1, 40 Stat. 1156; Mar. 4, 1921, ch. 161, § 1, 41 Stat. 1412; Mar. 4, 1923, ch. 295, 42 Stat. 1560; Dec. 13, 1926, ch. 6, § 1, 44 Stat. 919; May 17, 1932, ch. 190, 47 Stat. 158; Mar. 26, 1938, ch. 51, § 2, 52 Stat. 118; July 31, 1946, ch. 704, 60 Stat. 716; June 25, 1948, ch. 646, §§ 1, 20, 62 Stat. 889, 895, 899.)

**CODIFICATION**

The eighth sentence of section 41 of act Mar. 2, 1917, was, as originally enacted, followed by a proviso to the effect that nothing in that act should impair the jurisdiction of the District Court to hear and determine controversies then pending.

"United States District Court for the District of Puerto Rico" was substituted for "District Court of the United States for Puerto Rico" in view of section 132(a) of Title 28, Judiciary and Judicial Procedure, which states that "There shall be in each judicial district a district court which shall be a court of record known as the United States District Court for the district" and section 119 of Title 28, which states that "Puerto Rico constitutes one judicial district."

**AMENDMENTS**

1948—Act June 25, 1948, amended section generally by omitting provisions relating to the creation of the judicial district, appointment and tenure of court officers and employees, salary of district judge, jurisdiction, as these provisions are now covered by sections 119, 133—

135, 501, 504, 541, 631, 751, 1295, and 1331—1359 of Title 28, Judiciary and Judicial Procedure.

1946—Act July 31, 1946, increased the salary of the district court judge from \$10,000 to \$15,000 annually.

1938—Act Mar. 26, 1938, increased the term of office for the district judge from four to eight years.

1926—Act Dec. 13, 1926, increased salary of district judge from \$7,500 to \$10,000 per year.

1923—Act Mar. 4, 1923, superseded former provisions of this section fixing the salaries of the district attorney and marshal at \$4,000 and \$3,500, respectively. Provisions of act Mar. 4, 1923, providing for the fixing of those salaries by the Attorney General, formerly set out as section 579 of Title 28, are now covered by sections 508 and 552 of that title.

1921—Act Mar. 4, 1921, amended section to provide for appointment of clerk in accordance with provisions of former section 6, now 751, of Title 28, Judiciary and Judicial Procedure.

1919—Act Feb. 25, 1919, increased salary of district judge from \$5,000 to \$7,500 per year.

**CHANGE OF NAME**

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

**EFFECTIVE DATE OF 1948 AMENDMENT**

Section 38 of act June 25, 1948, provided that the amendment of this section should be effective as of Sept. 1, 1948.

**CROSS REFERENCES**

Amount in controversy required to exceed \$10,000 in federal question and diversity of citizenship cases in district courts of the United States, see sections 1331 and 1332, respectively, of Title 28, Judiciary and Judicial Procedure.

Naturalization jurisdiction of district court, see section 1421 of Title 8, Aliens and Nationality.

Retirement provisions for district court judges, see section 373 of Title 28, Judiciary and Judicial Procedure.

Salaries of district court judges, see section 135 of Title 28, Judiciary and Judicial Procedure.

**FEDERAL RULES OF CIVIL PROCEDURE**

Application of rules, see rule 1, Title 28, Appendix, Judiciary and Judicial Procedure.

**FEDERAL RULES OF CRIMINAL PROCEDURE**

Application of rules, see rule 54(a)(1), and note by Advisory Committee under rule 54, Title 18, Appendix, Crimes and Criminal Procedure.

**§ 864. Appeals, certiorari, removal of causes, etc.; use of English language.**

The laws of the United States relating to appeals, certiorari, removal of causes, and other matters or proceedings as between the courts of the United States and the courts of the several States shall govern in such matters and proceedings as between the United States District Court for the District of Puerto Rico and the courts of Puerto Rico.

All pleadings and proceedings in the United States District Court for the District of Puerto Rico shall be conducted in the English language. (Apr. 12, 1900, ch. 191, § 35, 31 Stat. 85; Mar. 2, 1917, ch. 145, § 42, 39 Stat. 966; Feb. 13, 1925, ch. 230, § 13, 43 Stat. 942; Jan. 31, 1928, ch. 14, § 1, 45 Stat. 54; May 17, 1932, ch. 190, 47 Stat. 158; June 25, 1948, ch. 646, §§ 1, 21, 62 Stat. 889, 895, 990.)

**CODIFICATION**

"United States District Court for the District of Puerto Rico" was substituted for "District Court of the United States for Puerto Rico" in view of section 132(a) of Title 28, Judiciary and Judicial Procedure, which states that "There shall be in each judicial district a district court which shall be a court of record known as the United States District Court for the district" and section 119 of Title 28, which states that "Puerto Rico constitutes one judicial district."

## AMENDMENTS

1948—Act June 25, 1948, amended section by omitting provisions relating to the term of district court and appeals to the circuit court.

1928—Act Jan. 31, 1928, abolished writ of error in civil and criminal cases and made all relief formerly obtained by writ of error obtainable by appeal.

## CHANGE OF NAME

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

## EFFECTIVE DATE OF 1948 AMENDMENT

Section 38 of act June 25, 1948, provided that the amendment of this section should be effective as of Sept. 1, 1948.

## REPEALS

Section 39 of act June 25, 1948, repealed section 1 of act Feb. 13, 1925, ch. 229, 43 Stat. 936.

Section 13 of act Feb. 13, 1925, repealed so much of this section as permitted a direct review by the Supreme Court of cases in the courts in Puerto Rico.

## PRIOR LAW

Act Mar. 3, 1911, ch. 231, § 244, repealed by act Jan. 28, 1915, ch. 22, § 3, 38 Stat. 804, related to direct appeals from the Supreme Court and the United District Court for Puerto Rico to the United States Supreme Court.

Identical provisions were contained in act Apr. 12, 1900, ch. 191, § 34, 31 Stat. 85.

## CROSS REFERENCES

Court of Appeals for First Circuit—

Appeals from reviewable decisions of Supreme Court of Puerto Rico to be taken to, see section 1294 of Title 28, Judiciary and Judicial Procedure.

Jurisdiction of appeals from certain final decisions of Supreme Court of Puerto Rico, see section 1293 of Title 28, Judiciary and Judicial Procedure.

Removal of cases from State courts, see chapter 89 of Title 28, Judiciary and Judicial Procedure.

Review generally, see chapter 133 of Title 28, Judiciary and Judicial Procedure.

Supreme Court—

Direct appeals from decisions invalidating Acts of Congress, see section 1252 of Title 28, Judiciary and Judicial Procedure.

Jurisdiction and venue generally, see chapter 81 of Title 28, Judiciary and Judicial Procedure.

## FEDERAL RULES OF CIVIL PROCEDURE

Application of rules, see rule 1, Title 28, Appendix, Judiciary and Judicial Procedure.

## FEDERAL RULES OF CRIMINAL PROCEDURE

Application of rules, see note by Advisory Committee under rule 54, Title 18, Appendix, Crimes and Criminal Procedure.

§ 865. Repealed. June 25, 1948, ch. 646, § 39, 62 Stat. 992, eff. Sept. 1, 1948.

Section, acts Mar. 2, 1917, ch. 145, § 43, 39 Stat. 966; Feb. 13, 1925, ch. 229, § 13, 43 Stat. 942; Jan. 31, 1928, ch. 14, § 1, 45 Stat. 54, which related to writs of error and appeals, is covered by section 1294 of Title 28, Judiciary and Judicial Procedure.

§ 866. Proceedings in English language.

## CODIFICATION

Section, act Apr. 12, 1900, ch. 191, § 35, 31 Stat. 85, which provided that all proceedings in Supreme Court of United States to review decisions of Supreme Court of Puerto Rico and the District Court of the United States for Puerto Rico, should be conducted in the English language, is obsolete. See notes under sections 864 and 865 of this title.

§ 867. Juries in district court; qualifications.

The qualifications of jurors as fixed by the local laws of Puerto Rico shall not apply to jurors selected to serve in the United States District Court for the

District of Puerto Rico; but the qualifications required of jurors in said court shall be that each shall be of the age of not less than twenty-one years and not over sixty-five years, a resident of Puerto Rico for not less than one year, and have a sufficient knowledge of the English language to enable him to serve as a juror; they shall also be citizens of the United States. Juries for the said court shall be selected, drawn, and subject to exemption in accordance with the laws of Congress regulating the same in the United States courts insofar as locally applicable. (June 25, 1906, ch. 3542, 34 Stat. 466; Mar. 2, 1917, ch. 145, § 44, 39 Stat. 966; May 17, 1932, ch. 190, 47 Stat. 158; June 25, 1948, ch. 646, § 1, 62 Stat. 889, 895.)

## CODIFICATION

"United States District Court for the District of Puerto Rico" was substituted for "District Court of the United States for Puerto Rico" in view of section 132(a) of Title 28, Judiciary and Judicial Procedure, which states that "There shall be in each judicial district a district court which shall be a court of record known as the United States District Court for the district" and section 119 of Title 28, which states that "Puerto Rico constitutes one judicial district".

## CHANGE OF NAME

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

## PRIOR LAW

Substantially identical provisions were contained in act June 25, 1906, ch. 3542, 34 Stat. 466, with this additional provision: "Provided, That the exemption from jury duty allowed by the local law shall be respected by the court when insisted upon by veniremen."

## CROSS REFERENCES

Persons born in Puerto Rico declared citizens of the United States, see section 1402 of Title 8, Aliens and Nationality.

Selection, drawing, and exemption of juries, see chapter 121 of Title 28, Judiciary and Judicial Procedure.

§ 868. Fees part of United States revenues.

All fees, fines, costs, and forfeitures as would be deposited to the credit of the United States if collected and paid into a district court of the United States shall become revenues of the United States when collected and paid into the United States District Court for the District of Puerto Rico. The sum of \$500 a year from such fees, fines, costs, and forfeitures shall be retained by the clerk and expended for law library purposes under the direction of the judge. (Mar. 2, 1901, ch. 812, § 2, 31 Stat. 953; Mar. 2, 1917, ch. 145, § 45, 39 Stat. 966; May 17, 1932, ch. 190, 47 Stat. 158; June 25, 1948, ch. 646, § 1, 62 Stat. 889, 895.)

## CODIFICATION

"United States District Court for the District of Puerto Rico" was substituted for "District Court of the United States for Puerto Rico" in view of section 132(a) of Title 28, Judiciary and Judicial Procedure, which states that "There shall be in each judicial district a district court which shall be a court of record known as the United States District Court for the district" and section 119 of Title 28 which states that "Puerto Rico constitutes one judicial district".

## CHANGE OF NAME

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

## PRIOR LAW

See prior law note under section 869 of this title.

**§ 869. Fees payable by United States out of revenue of Puerto Rico.**

Such fees and expenses as are payable by the United States if earned or incurred in connection with a district court of the United States shall be paid from the revenue of Puerto Rico if earned or incurred in connection with the United States District Court for the District of Puerto Rico. (Mar. 2, 1901, ch. 812, § 2, 31 Stat. 953; May 17, 1932, ch. 190, 47 Stat. 158; June 25, 1948, ch. 646, § 1, 62 Stat. 889, 895.)

**CODIFICATION**

"United States District Court for the District of Puerto Rico" was substituted for "District Court of the United States for Puerto Rico" in view of section 132(a) of Title 28, Judiciary and Judicial Procedure, which states that "There shall be in each judicial district a district court which shall be a court of record known as the United States District Court for the district" and section 119 of Title 28 which states that "Puerto Rico constitutes one judicial district".

**CHANGE OF NAME**

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

**PRIOR LAW**

As originally enacted, so much of section 2 of act Mar. 2, 1901, as is pertinent here, was as follows: "Such fees and expenses as are payable by the United States, if earned or incurred in connection with a circuit or district court of the United States, shall be paid from the revenues of Porto Rico, if earned or incurred in connection with the district court of the United States for Porto Rico."

**§ 870. Repealed. June 25, 1948, ch. 646, § 39, 62 Stat. 992, eff. Sept. 1, 1948.**

Section, acts Mar. 2, 1917, ch. 145, § 46, 39 Stat. 966; Feb. 26, 1919, ch. 49, §§ 2, 4, 40 Stat. 1182; Aug. 7, 1939, ch. 501, § 6, 53 Stat. 1226, which related to salaries of district court officials, is now covered by section 604 of Title 28, Judiciary and Judicial Procedure.

**§ 871. Fees and mileage of jurors and witnesses.**

**CODIFICATION**

Section, acts Mar. 2, 1917, ch. 145, § 47, 39 Stat. 967; May 17, 1932, ch. 190, 47 Stat. 158, is now covered by sections 1821, 1825 and 1871 of Title 28, Judiciary and Judicial Procedure.

**§ 872. Habeas corpus; mandamus; suit to restrain assessment or collection of taxes.**

The supreme and district courts of Puerto Rico and the respective judges thereof may grant writs of habeas corpus in all cases in which the same are grantable by the judges of the district courts of the United States, and the district courts may grant writs of mandamus in all proper cases.

No suit for the purpose of restraining the assessment or collection of any tax imposed by the laws of Puerto Rico shall be maintained in the United States District Court for the District of Puerto Rico. (Mar. 2, 1917, ch. 145, § 48, 39 Stat. 967; Mar. 4, 1927, ch. 503, § 7, 44 Stat. 1421; May 17, 1932, ch. 190, 47 Stat. 158; June 25, 1948, ch. 646, § 1, 62 Stat. 889, 895.)

**CODIFICATION**

"United States District Court for the District of Puerto Rico" was substituted for "District Court of the United States for Puerto Rico" in view of section 132(a) of Title 28, Judiciary and Judicial Procedure, which states that "There shall be in each judicial district a district court which shall be a court of record known as the United States District Court for the district" and section 119 of Title 28 which states that "Puerto Rico constitutes one judicial district".

**AMENDMENTS**

1927—Act Mar. 4, 1927, added second paragraph.

**CHANGE OF NAME**

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

**CROSS REFERENCES**

Habeas corpus, see chapter 153 of Title 28, Judiciary and Judicial Procedure.

Suspension of privilege of writ of habeas corpus by Legislative Assembly, see Art. II, § 13, of Commonwealth Constitution, set out as a note under section 731d of this title.

Writs, issuance of, see section 1651 of Title 28, Judiciary and Judicial Procedure.

**FEDERAL RULES OF CIVIL PROCEDURE**

Abolishment of writ of mandamus, see rule 81 (b), Title 28, Appendix, Judiciary and Judicial Procedure.

Rules of civil procedure for district courts, see section 2072 of Title 28, Judiciary and Judicial Procedure.

**§ 873. Repealed. July 3, 1950, ch. 446, § 5 (2), 64 Stat. 320, eff. July 25, 1952.**

Section, acts Mar. 2, 1917, ch. 145, § 49, 39 Stat. 967; May 17, 1932, ch. 190, 47 Stat. 158, related to the appointment of judges, marshals and secretaries. Subject matter is now covered by Art. V, § 8, of the Constitution of the Commonwealth of Puerto Rico, set out as a note under section 731d of this title.

**EFFECTIVE DATE OF REPEAL**

For explanation of the date of July 25, 1952, as being the effective date of that repeal, see note under former section 732 of this title.

**§ 873a. Repealed. June 25, 1948, ch. 646, § 39, 62 Stat. 992, eff. Sept. 1, 1948.**

Section, act Feb. 12, 1940, ch. 25, § 1, 54 Stat. 22, which related to rules governing civil cases, is now covered by section 2072 of Title 28, Judiciary and Judicial Procedure.

**§ 874. Judicial process; officials to be citizens of United States; oath.**

All judicial process shall run in the name of "United States of America, ss, the President of the United States", and all penal or criminal prosecutions in the local courts shall be conducted in the name and by the authority of "The People of Puerto Rico." All officials shall be citizens of the United States, and, before entering upon the duties of their respective offices, shall take an oath to support the Constitution of the United States and the laws of Puerto Rico. (Mar. 2, 1917, ch. 145, § 10, 39 Stat. 954; May 17, 1932, ch. 190, 47 Stat. 158.)

**CHANGE OF NAME**

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

**PRIOR LAW**

Similar provisions were contained in act Apr. 12, 1900, ch. 191, § 16, 31 Stat. 81.

**CROSS REFERENCES**

Criminal actions to be conducted in the name of "The People of Puerto Rico" until otherwise provided by law, see Art. VI, § 18, of Commonwealth Constitution, set out as a note under section 731d of this title.

**FEDERAL RULES OF CIVIL PROCEDURE**

Rules of civil procedure for district courts, see section 2072 of Title 28, Judiciary and Judicial Procedure.

**§§ 875, 876. Repealed. June 25, 1948, ch. 646, § 39, 62 Stat. 992, eff. Sept. 1, 1948.**

Section 875, act Mar. 2, 1917, ch. 145, § 55, 39 Stat. 968, which related to continuation of court's jurisdiction, is not now covered as it is executed.

Section 876, act Jan. 7, 1913, ch. 6, 37 Stat. 648, which related to temporary judge, is not now covered.

**RESIDENT COMMISSIONER****§ 891. Resident Commissioner; election.**

The qualified electors of Puerto Rico shall choose a Resident Commissioner to the United States at each general election, whose term of office shall be four years from the 3d of January following such general election, and who shall be entitled to receive official recognition as such commissioner by all of the departments of the Government of the United States, upon presentation, through the Department of State, of a certificate of election of the Governor of Puerto Rico. (Mar. 2, 1917, ch. 145, § 36, 39 Stat. 963; May 17, 1932, ch. 190, 47 Stat. 158; June 5, 1934, ch. 390, § 5, 48 Stat. 879.)

**CODIFICATION**

Section is comprised of second sentence of section 36 of act Mar. 2, 1917. The first sentence of section 36, providing for election of a Resident Commissioner to the United States at the next general election for a term commencing with date of issuance of certificate of election and terminating Mar. 4, 1921, was omitted as executed. The other sentences of section 36 are classified to section 46 of Title 2, The Congress, and to sections 892 and 893 of this title. Part of the third sentence of section 36, fixing the salary of the commissioner at \$7,500 per annum, was superseded by act Mar. 4, 1925 as amended (section 893 of this title and section 31 of Title 2, The Congress), providing, for that commissioner, a salary of \$22,500 per annum.

**AMENDMENTS**

1934—Act June 5, 1934, changed the commencement of the term of office from March 4th to January 3rd following the general election.

**CHANGE OF NAME**

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

**PRIOR LAW**

Similar provisions were contained in act Apr. 12, 1900, ch. 191, § 39, 31 Stat. 86.

The salary allowed by section 39 of act Apr. 12, 1900, was increased by act Feb. 26, 1907, ch. 1635, § 4, 34 Stat. 993.

The resident commissioner was allowed traveling expenses in addition to his salary, and the commencement of his term was fixed by act July 1, 1902, ch. 1383, § 3, 32 Stat. 732.

The manner of paying the salary and traveling expenses of the resident commissioner was fixed by a provision of act June 22, 1906, ch. 3514, § 1, 34 Stat. 417.

**§ 892. Same; qualifications; appointment to fill vacancy.**

No person shall be eligible to election as Resident Commissioner who is not a bona fide citizen of the United States and who is not more than twenty-five years of age, and who does not read and write the English language. In case of a vacancy in the office of Resident Commissioner by death, resignation, or otherwise, the governor, by and with the advice and consent of the senate, shall appoint a Resident Commissioner to fill the vacancy, who shall serve until the next general election and until his successor is elected and qualified. (Mar. 2, 1917, ch. 145, § 36, 39 Stat. 963; Mar. 4, 1925, ch. 549, § 4, 43 Stat. 1301.)

**CODIFICATION**

Section is comprised of fifth sentence of section 36 of act Mar. 2, 1917. See, also, note under section 891 of this title.

**§ 893. Same; salary; allowances; franking privilege.**

The Resident Commissioner shall receive a salary payable monthly by the United States. He shall be allowed the same sum for stationery and for the pay

of necessary clerk hire as is allowed Members of the House of Representatives of the United States. He shall be allowed the franking privilege granted Members of Congress. (Mar. 2, 1917, ch. 145, § 36, 39 Stat. 963; Mar. 4, 1925, ch. 549, § 4, 43 Stat. 1301.)

**CODIFICATION**

Section is comprised of parts of third and fourth sentences of section 36 of act Mar. 2, 1917. Part of third sentence of section 36, fixing the salary of the commissioner at \$7,500 per annum, was superseded by act Mar. 4, 1925, as amended, and set out as section 31 of Title 2, The Congress, providing for that commissioner a salary of \$22,500 per annum. Part of the fourth sentence of section 36 is classified to section 46 of Title 2, The Congress. See, also, note under section 891 of this title.

**CROSS REFERENCES**

Clerk hire, see section 80g of Title 2, The Congress.

Expense allowance, see section 31a of Title 2, The Congress.

Franking privilege, see chapter 8 of Title 39, The Postal Service.

Mileage, see section 43 of Title 2, The Congress.

Salary of the Resident Commissioner from Puerto Rico, see section 31 of Title 2, The Congress.

Stationery allowance, see section 46b of Title 2, The Congress.

Telephone and telegraph allowances, see section 46f of Title 2, The Congress.

**§ 894. Salary and traveling expenses; payment.**

The salary and traveling expenses of the Resident Commissioner from Puerto Rico to the United States shall be paid by the Sergeant-at-Arms of the House of Representatives in the same manner as the salaries of the members of the House of Representatives are paid. (June 22, 1906, ch. 3514, § 1, 34 Stat. 417; May 17, 1932, ch. 190, 47 Stat. 158.)

**CHANGE OF NAME**

The name of "Porto Rico" was changed to "Puerto Rico" by act May 17, 1932.

**CROSS REFERENCES**

Mileage, see section 43 of Title 2, The Congress.

**SLUM CLEARANCE AND URBAN REDEVELOPMENT PROJECTS****CROSS REFERENCES**

Low rent housing projects and elimination of substandard housing, see section 911 et seq. of this title.

Slum clearance and urban redevelopment and renewal projects in Alaska, Hawaii, and Virgin Islands, see sections 430 et seq., 721 et seq., and 1408 et seq. of this title, respectively.

**§ 910. Slum clearance and urban redevelopment and renewal projects; powers of government.**

The government of Puerto Rico acting through its legislature, may create a public corporate authority or authorities and may authorize such authority or authorities or any other public corporate authority or any municipal corporation or political subdivision, acting directly or through any officer or agency thereof or through a public corporate authority, to undertake slum clearance and urban redevelopment projects and urban renewal projects and to do all things, exercise any and all powers, and to assume and fulfill any and all obligations, duties, responsibilities, and requirements, including but not limited to those relating to planning and zoning, necessary or desirable for receiving Federal assistance under sections 1451—1460 of Title 42, or any other law, except that public corporate authorities (as distinct



from municipalities or political subdivisions) created or authorized to operate in accordance with sections 910—910b of this title shall not be given any power of taxation or any power to pledge the full faith and credit of the people of the Territory, or municipality, or political subdivision, as the case may be, for any loan whatever. The Legislature of Puerto Rico may, with respect to any public corporate authority or authorities empowered or which may be empowered to undertake slum clearance and urban redevelopment projects and urban renewal projects, provide for the appointment and terms of office of the members thereof, and for the powers of such authorities, including authority to accept whatever benefits the Federal Government may make available for slum clearance and urban redevelopment projects and urban renewal projects, and authority, notwithstanding any other Federal law, to borrow money and to issue notes, bonds, and other obligations of such character and maturity, with such security, and in such manner as the respective legislatures may provide. Such notes, bonds, and other obligations shall not be a debt of the United States, or of any Territory or municipal corporation or other political subdivision or agency thereof other than the public corporate authority which issued such notes, bonds, or obligations, nor constitute a debt, indebtedness, or the borrowing of money within the meaning of any limitation or restriction on the issuance of notes, bonds, or other obligations contained in any laws of the United States applicable to Puerto Rico, or to any municipal corporation or other political subdivision or agency thereof. (July 18, 1950, ch. 466, title I, § 101, 64 Stat. 344; Aug. 11, 1955, ch. 783, title I, § 107 (3), (7), (9), 69 Stat. 637, 638.)

#### CODIFICATION

Similar provisions relating to Alaska and Hawaii are set out as sections 480 and 721 of this title, respectively.

#### AMENDMENTS

1955—Act Aug. 11, 1955, amended section to include urban renewal projects, and to insert "as amended" after (Public Law 171, Eighty-first Congress) and after "this Act", which have been translated in this section as "sections 1451—1460 of Title 42" and "sections 910—910b of this title", respectively.

#### URBAN RENEWAL ACTIVITIES

Financial assistance available for urban renewal projects, see section 107 (1), (2) of act Aug. 11, 1955, set out as a note under section 480 of this title.

**§ 910a. Same; authorization of loans, conveyances, etc., by government and municipalities.**

The government of Puerto Rico may assist slum clearance and urban redevelopment projects and urban renewal projects through cash donations, loans, conveyances of real and personal property, facilities, and services, and otherwise, and may authorize municipalities or other political subdivisions to make cash donations, loans, conveyances of real and personal property to public corporate authorities and to take other action, including but not limited to the making available or the furnishing of facilities and services, in aid of slum clearance and urban redevelopment projects and urban renewal projects. (July 18, 1950, ch. 466, title I, § 102, 64 Stat. 344; Aug. 11, 1955, ch. 783, title I, § 107 (3), 69 Stat. 637.)

#### CODIFICATION

Similar provisions relating to Alaska and Hawaii are set out as sections 480a and 721a of this title, respectively.

#### AMENDMENTS

1955—Act Aug. 11, 1955, amended section to include urban renewal projects.

**§ 910b. Same; ratification of prior acts.**

All legislation heretofore enacted by the Legislature of the Territory of Puerto Rico dealing with the subject matter of sections 910—916 of this title and not inconsistent herewith is ratified and confirmed. (July 18, 1950, ch. 466, title I, § 103, 64 Stat. 345.)

#### CODIFICATION

Similar provisions relating to Alaska and Hawaii are set out as sections 480b and 721b of this title, respectively.

### LOW RENT HOUSING PROJECTS AND ELIMINATION OF SUB-STANDARD HOUSING

**§ 911. Legislative authorization to create authorities.**

The Legislature of Puerto Rico may create public corporate authorities to undertake slum clearance and projects to provide dwelling accommodations for families of low income. (June 25, 1938, ch. 703, § 1, 52 Stat. 1203.)

**§ 912. Same; appointment of commissioners; powers of authorities.**

The Legislature of Puerto Rico may provide for the appointment and terms of the commissioners of such authorities, and for the powers of such authorities, except that such authorities shall be given no power of taxation, and may authorize the commissioners of such authorities to fix the salaries of employees. (June 25, 1938, ch. 703, § 2, 52 Stat. 1203.)

**§ 913. Same; authorization of loans, conveyances, etc., by municipalities.**

The legislature may appropriate funds for and may make and authorize any municipality of Puerto Rico to make loans, donations, and conveyances of money or property to such authorities; may make and authorize any municipality of Puerto Rico to make available its facilities and services to such authorities and take other action in aid of slum clearance or low-rent housing; and may, without regard to any Federal Acts restricting the disposition of public property or lands in Puerto Rico, provide for the use by or disposal to such authorities of any public lands or other property held or controlled by the people of Puerto Rico, its municipalities, or other subdivisions. (June 25, 1938, ch. 703, § 3, 52 Stat. 1203.)

**§ 914. Same; issuance of bonds and obligations.**

The legislature may authorize such authorities to issue bonds or other obligations with such security as the legislature may provide and may provide for the disposition of the proceeds of such bonds and all receipts and revenues of such authorities. (June 25, 1938, ch. 703, § 4, 52 Stat. 1203.)

**§ 915. Same; bonds as public debt.**

Such bonds shall not be a debt of Puerto Rico or any municipality, and shall not constitute a public indebtedness within the meaning of section 745 of this title. (June 25, 1938, ch. 703, § 5, 52 Stat. 1203.)

**§ 916. Same; ratification of previous legislation.**

All legislation heretofore enacted by the Legislature of Puerto Rico dealing with the subject matter of sections 911—916 of this title and not inconsistent herewith is ratified and confirmed. (June 25, 1938, ch. 703, § 6, 52 Stat. 1203.)

**Chapter 5.—THE PHILIPPINE ISLANDS****PHILIPPINE INDEPENDENCE**

The independence of the Philippine Islands was recognized and American sovereignty withdrawn by 1946 Proc. No. 2695, eff. July 4, 1946, 11 F. R. 7517, 60 Stat. 1352, issued pursuant to section 1394 of Title 22, Foreign Relations and Intercourse, and set out as a note under that section.

**CROSS REFERENCES**

Philippine Property Act of 1946, see sections 1381—1386 of Title 22, Foreign Relations and Intercourse.

Philippine Trade Act of 1946, see sections 1251—1281, 1282—1332 and 1334—1360 of Title 22, Foreign Relations and Intercourse.

Philippine Trade Agreement Revision Act of 1955, see sections 734 of this title and 1371—1379 of Title 22, Foreign Relations and Intercourse.

**§§ 1001—1008. Omitted.****CODIFICATION**

Sections 1001—1008 of this title, which related to the Philippine Islands, are obsolete or, in some cases, have been transferred to Title 22, Foreign Relations and Intercourse, in view of recognition of Philippine Independence by 1946 Proc. No. 2695, issued under authority of section 1394 of Title 22, and set out as a note under that section.

The prior history of sections 1001—1008 is as follows:  
Section 1001, act Aug. 29, 1916, ch. 416, § 1, 39 Stat. 545, defined the Philippine Islands.

Section 1002, act Aug. 29, 1916, ch. 416, § 2, 39 Stat. 546, related to Philippine citizenship.

Section 1003, act Aug. 29, 1916, ch. 416, § 5, 39 Stat. 547, related to the application of statutory law of United States.

Section 1004, act Aug. 29, 1916, ch. 416, § 6, 39 Stat. 547, related to the continuing force and effect of Philippine laws.

Section 1005, act Aug. 29, 1916, ch. 416, § 7, 39 Stat. 547, related to the power of the Philippine Legislature to modify, repeal, etc., laws.

Section 1006, act Aug. 29, 1916, ch. 416, § 31, 39 Stat. 556, related to laws continued in force.

Section 1007, act Aug. 29, 1916, ch. 416, § 4, 39 Stat. 547, related to payment of expenses of the Philippine government.

Section 1007a, acts Sept. 1, 1937, ch. 898, title V, § 503, 50 Stat. 915; Oct. 15, 1940, ch. 887, 54 Stat. 1178, related to appropriations for financing program of economic adjustment.

Section 1008, act Aug. 29, 1916, ch. 416, § 3, 39 Stat. 546, related to a bill of rights and restrictions for the Islands.

**§ 1009. Repealed. Oct. 31, 1951, ch. 655, § 56 (d), 65 Stat. 729.**

Section, act Mar. 8, 1902, ch. 140, § 9, 32 Stat. 55, related to requirements as to evidence in treason cases in the Philippines. Prior to this repeal, it had been omitted from the Code as obsolete in view of the independence of the Philippines.

**SAVINGS CLAUSE**

Subsec. (1) of section 56 of act Oct. 31, 1951 provided that the repeal of this section should not affect any rights or liabilities existing hereunder on the effective date of that repeal (Oct. 31, 1951).

**§§ 1010—1276e. Omitted.****CODIFICATION**

Sections 1010—1276e of this title, which related to the Philippine Islands, are obsolete or, in some cases, have been transferred to Title 22, Foreign Relations and Intercourse, in view of recognition of Philippine Independence

by 1946 Proc. No. 2695, issued under authority of section 1394 of Title 22, and set out as a note under that section.

Section 1010, acts Aug. 29, 1916, ch. 416, § 11, 39 Stat. 548; July 21, 1921, ch. 51, 42 Stat. 145; May 31, 1922, ch. 203, 42 Stat. 599, related to prohibition against export duties and imposition of taxes and assessments.

Section 1011, acts July 1, 1902, ch. 1369, § 84, 32 Stat. 711; July 1, 1944, ch. 373, title VII, § 711, 58 Stat. 714; Aug. 13, 1946, ch. 958, § 5, 60 Stat. 1049, related to shipping, customs duties, seamen, and health laws.

Section 1011a, act July 3, 1930, ch. 831, 46 Stat. 851, related to imports consigned to departments and bureaus of United States Government.

Section 1012, act Feb. 6, 1905, ch. 453, § 5, 33 Stat. 692, related to the admission free of duty of railroad material.

Section 1013, act Feb. 6, 1905, ch. 453, § 6, 33 Stat. 692, related to the administration of immigration laws.

Section 1014, act Apr. 29, 1908, ch. 152, § 5, 35 Stat. 70, related to the administration of navigation laws.

Section 1015, act Apr. 29, 1908, ch. 152, § 1, 35 Stat. 70, related to the temporary regulation of transportation of merchandise and passengers.

Section 1016, acts Apr. 29, 1908, ch. 152, § 4, 35 Stat. 70; Aug. 29, 1916, ch. 416, § 22, 39 Stat. 553, related to licenses to certain vessels.

Section 1017, act Apr. 29, 1908, ch. 152, § 3, 35 Stat. 70, related to inapplicability to certain foreign vessels of restrictions on transportation of merchandise and passengers.

Section 1018, act July 1, 1902, ch. 1369, § 11, 32 Stat. 695, related to improvement of harbors and navigable waters.

Section 1019, acts Mar. 22, 1902, ch. 273, 32 Stat. 88; Mar. 2, 1917, ch. 145, § 54, 39 Stat. 968, related to acknowledgment of deeds.

Section 1041, act Aug. 29, 1916, ch. 416, § 8, 39 Stat. 547, related to the grant of legislative power to the Philippine Legislature.

Section 1042, act Aug. 29, 1916, ch. 416, § 10, 39 Stat. 548, related to Legislature's authority over trade relations, tariff acts, and immigration.

Section 1043, act Aug. 29, 1916, ch. 416, § 12, 39 Stat. 548, related to the composition of the Legislature.

Section 1044, act Aug. 29, 1916, ch. 416, § 13, 39 Stat. 549, related to the qualifications and election of senators.

Section 1045, act Aug. 29, 1916, ch. 416, § 14, 39 Stat. 549, related to the qualifications and election of representatives.

Section 1046, act Aug. 29, 1916, ch. 416, § 16, 39 Stat. 549, related to senatorial and representative districts.

Section 1047, act Aug. 29, 1916, ch. 416, § 15, 39 Stat. 549, related to qualifications of voters.

Section 1048, act Aug. 29, 1916, ch. 416, § 17, 39 Stat. 550, related to terms of office of senators and representatives.

Section 1049, act Aug. 29, 1916, ch. 416, § 18, 39 Stat. 550, related to legislative sessions.

Section 1050, act Aug. 29, 1916, ch. 416, § 18, 39 Stat. 550, related to the compensation and privileges of members.

Section 1051, act Aug. 29, 1916, ch. 416, § 18, 39 Stat. 550, related to the ineligibility of senators and representatives to hold certain offices.

Section 1052, act Aug. 29, 1916, ch. 416, § 19, 39 Stat. 551, related to the enactment of laws and approval by the President of the United States.

Section 1053, act Aug. 29, 1916, ch. 416, § 19, 39 Stat. 551, related to the failure to make appropriations.

Section 1054, acts Aug. 29, 1916, ch. 416, § 19, 39 Stat. 551; May 29, 1928, ch. 901, § 1, 45 Stat. 996; Feb. 28, 1929, ch. 364, §§ 1, 2, 45 Stat. 1348, related to the reporting of laws to Congress.

Section 1055, acts June 2, 1924, ch. 234, § 261, 43 Stat. 294; Feb. 26, 1926, ch. 27, §§ 261, 1200, 44 Stat. 52, 125, related to income tax laws.

Section 1071, acts July 1, 1902, ch. 1369, § 9, 32 Stat. 695; Aug. 29, 1916, ch. 416, § 26, 39 Stat. 555, related to jurisdiction of the courts.

Section 1072, act Aug. 29, 1916, ch. 416, § 26, 39 Stat. 555, related to admiralty jurisdiction.

Section 1073, act Aug. 29, 1916, ch. 416, § 26, 39 Stat. 555, related to appointment of chief justice and associate justices of the supreme court.